

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
D E P A R T M E N T O F H E A L T H



Safe and Healthy Lives in Safe and Healthy Communities

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS,
DEPARTMENT OF HEALTH,
BOARD OF MEDICAL LICENSURE
AND DISCIPLINE

In the matter of:
N. Frank Feiner, M.D.

Summary Suspension

The Board of Medical Licensure and Discipline has received information that N. Frank Feiner, M.D. was engaged in the practice of psychiatry in violation of the express terms of his restricted license to practice medicine. Following a suspension from practice due to a sexual relationship with a patient, Dr. Feiner's license was reinstated with Restrictions. During his suspension period, the Board received a complaint which alleged Dr. Feiner diagnosed subclinical epilepsy without appropriate testing and prescribed anticonvulsant medications inappropriately along with other practice deficiencies as outlined in C94-218, a Consent Order entered into with the Board on June 11, 1997. In that Order Dr. Feiner admitted the facts contained in it. Following ratification of this Order, Dr. Feiner was permitted to re-enter the practice of psychiatry with a license which was restricted to practice only while being supervised by a physician approved by the Board.

On June 20, 1997, the Board approved a supervisor and the terms of the supervision. In a letter dated April 10, 1998 the Board received notice from the Supervisor that he was resigning his supervisory responsibilities as per the terms of the agreement. He filed a Summary of Supervision with the Board in which he offered opinions regarding the period of supervision as follows:

I. Summary of Opinion

- A. Dr. Feiner is unable to benefit from supervision because he dismisses the authority of the Board to pass judgement on his clinical abilities, rejects the Board's findings regarding his clinical practice, and denies he is in need of clinical oversight.
- B. Dr. Feiner's knowledge base is deficient and inconsistently applied with respect to standard criteria-based diagnosis and treatment.
- C. Dr. Feiner has a bias toward diagnosing bipolar disorder, frequently and inappropriately seeking to prescribe second and third generation antiepileptic drugs (AEDs) as first line treatments.
- D. Dr. Feiner's documentation improved in structure, clinical detail, and scope during the course of supervision. Despite this clear improvement in Dr. Feiner's reports, details therein are often impressionistic or lacking in concrete specifics to support either his diagnosis or treatment plans. On occasion, the specific clinical information that is reported to support a particular diagnosis would appear to preclude it.
- E. Dr. Feiner on occasion violated the rules of the contract by prescribing new medication prior to discussing it with me and not in an emergency.

- F. I have concerns about Dr. Feiner's ability to practice consistently and safely without supervision.

Following receipt by the Board of this report, Dr. Feiner was ordered by the Director of Health on May 13, 1998 to cease seeing patients and to transfer care of the patients for whom he was providing care to another psychiatrist while the Board reviewed the matter further. Dr. Feiner, along with legal counsel, appeared before the Investigating Committee and asked for approval of another supervisor. During that meeting Dr. Feiner stated that he did not agree with the Board's findings in Consent Order C94-218 but asked the Board to respect his "intellectual honesty" which he felt was at the heart of his disagreements with his practice supervisor. The following week, the Investigating Committee learned via a sworn affidavit that Dr. Feiner was seeing patient(s) in his office, dispensing medications and ordering laboratory tests in direct violation of the Terms of his restricted license and the order of the Director of Health. The Board confirmed this through investigation.

ORDER

Based upon this information and Dr. Feiner's disciplinary history, the information contained in Board files indicates that the continuation in practice of N. Frank Feiner, M.D. would constitute an immediate danger to the public.

In accordance with the provisions of Rhode Island General Laws 5-37-8, number 6633, is hereby Suspended, effective immediately.

Patricia A. Nolan, MD, MPH
Patricia A. Nolan, MD, MPH
Director of Health

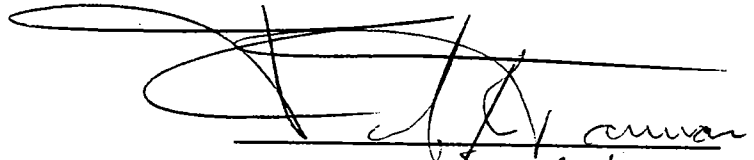
August 4, 1998
Date

CERTIFICATION

I hereby certify that on the 4th day of August, 1998, a true and accurate copy of the enclosed Summary Suspension was hand-delivered, to:

N. Frank Feiner, M.D.
105 Medway Street
Providence, RI 02906

John M. Roney, Esq.
Roney & Labinger
344 Wickenden Street
Providence, RI 02906



WILLIAM J. RUMAN
8/4/98 c

Dr. FEINER 4 12:33 PM

ON A HOMEY RONEY

