

**BOARD OF MEDICAL LICENSURE AND
DISCIPLINE**

No. C04-101

**IN THE MATTER OF
TAMMAM M. FARHAT, M.D.
License Number MD 9864**

Consent Order

Pursuant to R.I. Gen. Laws §5-37-5.2, 1956, as amended, (2002 Reenactment) a notification was received by the Board of Medical Licensure and Discipline from the Department of Health Division of Facilities Regulation. This notification came about as a result of an investigation into a wrong site insertion of a Swans Ganz catheter by Dr. Tammam M. Farhat, M.D. ("Respondent"). This matter was referred to an Investigating Committee of the board for review and recommendation. The following are findings of fact and conclusions of law:

Findings of Fact

1. Respondent is a board certified anesthesiologist who has been licensed in Rhode Island since 1998. He has privileges at the Miriam Hospital and the Roger Williams Hospital. He is a graduate of the American University of Beirut. He completed his residency in Anesthesiology at Boston University Medical Center and a Fellowship in Critical Care Medicine at the University of Massachusetts Medical Center. He is Board certified in Critical Care Medicine.
2. Respondent was the anesthesiologist for an elective cardiac revascularization procedure involving a right internal carotid artery endarterectomy and a CABG.

3. The right carotid artery was identified for surgery by the staff and the patient and marked "YES" by staff. However, it is acknowledged that such identification and mark was not consistent with the Joint Commission on Accreditation of Healthcare Organizations Standards titled " Guideline for Implementing the Universal Protocol for Preventing Wrong Site, Wrong Procedure and Wrong Site Surgery."
4. Respondent inserted a right internal jugular Swans Ganz catheter pre-operatively. The surgery was cancelled by the surgeon due to the placement of the catheter so close to the surgical site. The pre-anesthesia assessment completed one week prior to surgery clearly documents "left-sided central access".
5. When interviewed later, Respondent said that he did not see the surgical site identification marking. The marking was not placed in a position so that it could be viewed after the patient was prepped and draped for surgery.
6. Respondent failed to meet the minimum standard of acceptable practice by failing to use the identified left internal jugular as medically determined in violation of RIGL § 5-37-5.1(19).

The parties agree as follows:

Respondent admits to the jurisdiction of the Board.

- (1) Respondent hereby acknowledges and waives:
 - a. The right to appear personally or by counsel or both before the Board;
 - b. The right to produce witnesses and evidence in his behalf at a hearing;
 - c. The right to cross examine witnesses;
 - d. The right to have subpoenas issued by the Board;
 - e. The right to further procedural steps except for specifically contained herein;
 - f. Any and all rights of appeal of this Consent Order;

- g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;
 - h. Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to review adequately this Consent Order;
- (2) Acceptance of this Consent Order constitutes an acknowledgement by the Respondent of the Findings made by the Board.
 - (3) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties.
 - (4) Failure to comply with this Consent Order, when signed and accepted, shall subject the Respondent to further disciplinary action.
 - (5) Respondent consents to a Reprimand in this matter and shall pay an administrative fee of Five Hundred (\$500.00) Dollars within sixty days of ratification of this order.

Signed this 8th day of November, 2004.

Tammam M. Farhat, M.D.
Tammam M. Farhat, M.D.

Ratified by the Board of Medical Licensure and Discipline at a meeting held on _____, 2004.

Patricia A. Nolan, MD, MPH
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Director of Health