

BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In Re:)
)
Roger Sadhaka Perilstein, M.D.,) CONSENT ORDER
)
Respondent.)

This matter is before the North Carolina Medical Board ("Board") regarding information that the Board has received regarding Roger Sadhaka Perilstein, M.D. ("Dr. Perilstein"). Dr. Perilstein admits and the Board finds and concludes the following:

Whereas, the Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Article 1 of Chapter 90 of the North Carolina General Statutes; and

Whereas, Dr. Perilstein is a physician licensed by the Board on March 17, 1984 to practice medicine, license number 27837; and

Whereas, at all times relevant herein, Dr. Perilstein practiced as a psychiatrist in Chapel Hill, North Carolina; and

Whereas, Dr. Perilstein treated Patient A between April 1996 and February 2000 for depression and Attention Deficit Disorder; and

Whereas, the Board reviewed Dr. Perilstein's care of Patient A and concluded that Dr. Perilstein departed from acceptable standards of care with respect to Patient A's treatment, diagnosis and documentation; and

Whereas, Dr. Perilstein treated Patients B, C and D between on or about June 3, 2004, and January 4, 2008, for psychiatric conditions; and

Whereas, the Board reviewed Dr. Perilstein's care of Patients B through D and has concerns regarding the adequacy of Dr. Perilstein's patient evaluations, documentation and management; and

Whereas, as part of the Board's review of Dr. Perilstein, the Board ordered Dr. Perilstein to undergo an assessment of his clinical skills at the Center for Personalized Education for Physicians ("CPEP"); and

Whereas, Dr. Perilstein complied with the Order and completed an assessment with CPEP; and

Whereas, the result of that assessment was that Dr. Perilstein demonstrated need for improvement in areas of medical knowledge, judgment, documentation and communication, and CPEP made specific recommendations to improve Dr. Perilstein's ability to practice medicine; and

Whereas, Dr. Perilstein's care and treatment of Patients A through D, as described above and as assessed by CPEP, failed to

conform to acceptable standards of one or more areas of professional physician practice within the meaning of N.C. Gen. Stat. and prevailing medical practice, or the ethics of the medical profession within the meaning of N.C. Gen. Stat. § 90-14(a)(6), and grounds exist under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke or limit Dr. Perilstein's license to practice medicine issued to him by the Board; and

Whereas, Dr. Perilstein acknowledges and agrees that the Board has jurisdiction over him and over the subject matter of this case; and

Whereas, Dr. Perilstein knowingly waives his right to any hearing and to any judicial review or appeal in this case; and

Whereas, Dr. Perilstein has already initiated many of the recommendations contained in the CPEP assessment, and desires to resolve this matter without the need for more formal proceedings; and

Whereas the Board has determined it to be in the public interest to resolve this matter as set forth below; and

Whereas Dr. Perilstein acknowledges that he has read and understands this Consent Order and enters into it voluntarily.

NOW, THEREFORE, with Dr. Perilstein's consent, it is ORDERED that:

1. Dr. Perilstein shall satisfactorily complete the recommendations embodied in the CPEP assessment, including and not limited to, those requirements relating to the educational preceptor, continuing medical education, self-study and the charting system.

2. With respect to the educational preceptor recommendation in the CPEP assessment:

a. Dr. Perilstein shall, within thirty (30) days of the effective date of this Consent Order, provide the Board with the educational preceptor's name and a written plan for carrying out the CPEP assessment recommendations;

b. Such plan shall describe in detail the physician-preceptor relationship and how the preceptor intends to precept Dr. Perilstein;

c. The educational preceptor and the plan must be approved by the Board President;

d. Dr. Perilstein's educational preceptor shall provide progress letters to the Board at intervals of one (1) month, three (3) months and six (6) months, during the preceptorship. The letters shall address the needs and recommendations identified in the CPEP assessment. The six (6)-month letter shall indicate whether Dr. Perilstein has successfully addressed all needs and recommendations identified in the CPEP assessment; and

e. When all needs and recommendations are met, the educational preceptorship shall be concluded. In the event that the needs and recommendations are not met within the six (6)-month period as described, the educational preceptor shall recommend an ongoing preceptorship time-frame with appropriate progress letters to the Board.

3. Dr. Perilstein shall provide written proof to the Board substantiating compliance with the CPEP recommendations for continuing medical education within six (6) months from the effective date of this Consent Order.

4. Dr. Perilstein shall also provide the Board with eight (8) patient charts within thirty (30) days following the conclusion of his educational preceptorship, along with evidence of compliance with the CPEP recommendation that Dr. Perilstein utilize a charting system containing problem and medication lists.

5. This Consent Order shall take effect immediately upon its execution by both Dr. Perilstein and the Board and it shall continue in effect until specifically ordered otherwise by the Board.

6. Dr. Perilstein hereby waives any requirement under any law or rule that this Consent Order be served on him.

7. Dr. Perilstein shall obey all laws. Likewise, he shall obey all rules and regulations involving the practice of medicine.

8. Dr. Perilstein shall notify the Board in writing of any change in his residence or practice address within ten (10) days of the change.

9. If Dr. Perilstein fails to comply with any of the terms of this Consent Order, that failure shall constitute unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and shall be grounds, after any required notice and hearing, for the Board to annul, suspend, or revoke his license to practice medicine and surgery and to deny any application he might make in the future or then have pending for a license.

10. Upon execution by Dr. Perilstein and the Board, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it will be reported to persons, entities, agencies and clearinghouses as required by and permitted by law including, but not limited to, the Federation of State Medical Boards, the National Practitioner's Data Bank and the Healthcare Integrity and Protection Data Bank.

This the 7th day of May, 2009.

NORTH CAROLINA MEDICAL BOARD

By: *George L. Saunders III*
George L. Saunders, III, M.D.
President

Consented to this the 23 day of April, 2009.



Roger Sadhaka Perilstein, M.D.

State of North Carolina

County of Orange

I, Phyllis Greenberg, a Notary Public for the above named County and State, do hereby certify that Roger Sadhaka Perilstein, M.D. personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal
This the 23 day of April, 2009.

Phyllis Greenberg

Notary Public

(SEAL)

My Commission expires: 3/21/2010