

State of Rhode Island
Department of Health
Board of Medical Licensure & Discipline



IN THE MATTER OF:
Robert Kohn M.D.
License Number MD 07224
Case # C170262

CONSENT ORDER

The Rhode Island Board of Medical Licensure and Discipline (hereinafter "Board") has reviewed and investigated the above referenced complaint pertaining to Dr. Robert Kohn (hereinafter "Respondent") through its Investigative Committee.

FINDINGS OF FACT

1. Respondent is a licensed physician in Rhode Island and was issued his license on January 6th, 1988. Respondent's specialty is Psychiatry.
2. The Board received a notice of Respondent's privileges were suspended at Butler Hospital. This action was based on Respondent's license to practice medicine being suspended in Massachusetts's.
3. Circumstances surrounding the disciplinary action in Massachusetts included how Respondent interacted with Patient A while he was the on-call Psychiatrist at High Point Treatment Center. Respondent's actions with Patient A were recorded on video and included Respondent interacting with Patient A in an apparently emotionally charged manner, waving finger at Patient A, throwing items on the floor, holding Patient A in a non-therapeutic manner and subsequently grabbing Patient A and holding Patient A down against a table.
4. The Board of Registration in Medicine of the Commonwealth of Massachusetts through the Division of Administrative Law Appeals adjudicatory case No 2015-011 (RM-15-122) rendered a final decision and order December 22, 2016 that Respondent's

Massachusetts license to practice medicine would be suspended indefinitely. This decision stated “*Respondent engaged in conduct that placed into question his competence to practice medicine, including but not limited to gross misconduct in the practice of medicine, in violation of 243 CMR 1.03(5) (a) engaged in misconduct in the practice of medicine in violation of 243 CME 1.03 (5) (a) 18, and engaged in conduct that undermined the public confidence in the integrity of the medical profession...*”

5. Respondent has violated RIGL 5.37.5.1 section (21) *Surrender, revocation, suspension, limitation of privilege based on quality of care provided, or any other disciplinary action against a license or authorization to practice medicine in another state or jurisdiction; or surrender, revocation, suspension, or any other disciplinary action relating to a membership on any medical staff or in any medical or professional association or society while under disciplinary investigation by any of those authorities or bodies for acts or conduct similar to acts or conduct which would constitute grounds for action as described in this chapter;*

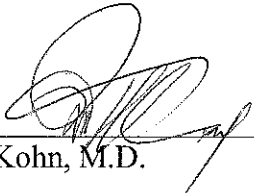
Based on the foregoing, the parties agree as follows:

1. Respondent admits to the jurisdiction of the Board.
2. Respondent has agreed to this Consent Order and understands that it is subject to final approval of the Board, and this Consent Order is not binding on Respondent until final ratification by the Board.
3. If ratified by the Board, 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 on 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 those specifically contained herein;

- f. Any and all rights of appeal of this Consent Order; and
 - g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review.
 - h. Any objection that this Consent Order will be reported to the National Practitioner Data Bank, Federation of State Medical Boards as well as posted on the department's public web site.
4. Respondent agrees to pay within (60) days of the ratification of this Consent Order an administrative fee to the Board with a check for \$850 dollars made payable to the Rhode Island General Treasurer for costs associated with investigating the above-referenced complaint.
 5. Respondent hereby agrees to this reprimand on his physician license.
 6. Respondent agrees to remain under behavioral health monitoring contract with the Rhode Island Physicians Health Program for the next 5 years. The parties agree that during this period of time Respondent shall have an unrestricted Rhode Island license so long as he complies with the Consent Order.
 7. Respondent agrees to meet with his community monitor as indicated in his Massachusetts Physician Health Program monitoring contract.
 8. Respondent agrees to limit his work schedule so that his direct patient care activities, duties, scheduled administrative duties and scheduled teaching obligations do not exceed 40 hours per week. The 40 hour per week limitation shall only apply during the time that the Respondent participates in PHP.
 9. If any term of this Consent Order is violated, after it is signed and accepted, the Director of the Department of Health shall have the discretion to impose further disciplinary action. If the Director imposes further disciplinary action, Respondent shall be given notice and shall have the right to request a hearing within twenty (20) days of the suspension and/or further discipline. The Director of the Department of Health shall also have the discretion to request a hearing after notice to Respondent of a violation of any term of this Consent Order. The

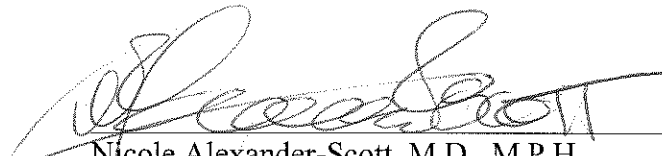
Board may suspend Respondent's license, or impose further discipline, for the remainder of Respondent's licensing period if any alleged violation is proven by a preponderance of evidence.

Signed this 21 day of September, 2017.



Robert Kohn, M.D.

Ratified this 11th day of October 2017 by the Board of Medical Licensure and Discipline.



Nicole Alexander-Scott, M.D., M.P.H.
Director
Rhode Island Department of Health
3 Capitol Hill, Room 401
Providence, Rhode Island 02908