

RHODE ISLAND BOARD OF MEDICAL LICENSURE AND DISCIPLINE

IN THE MATTER OF:
Achina P. Stein, D.O.
License No.: D.O. 00510
Case No.: C22-0413

CONSENT ORDER

The Board of Medical Licensure and Discipline (“Board”) makes the following:

FINDINGS OF FACT

1. Achina P. Stein, D.O. (“Respondent”) was issued a license to practice medicine in the State of Rhode Island on January 24, 2000.
2. At the time of the filing of the Complaint, Respondent was employed at Functional Mind, LLC, a medical practice located in East Providence, Rhode Island.
3. Respondent provided psychiatric treatments to the Complainant, a complex psychiatric patient, over the course of 8 years, beginning in 2013. While providing psychiatric treatments to the Complainant, Respondent was required to maintain appropriate boundaries during the doctor-patient relationship.
4. Respondent failed to maintain appropriate boundaries with the Complainant, as evidenced by extensive text messaging with the patient; providing medical advice, including changes in medication and dosage changes by text; communications, including emojis; sharing a photograph with patient while away; providing career guidance to the patient; occasionally treating the patient as a colleague; providing personal information regarding Respondent’s own family; scheduling appointments to be held outside of an office setting, including at restaurants and recreational sites without documenting a therapeutic purpose for the venue; and a failure to provide off-hours coverage when patient was hospitalized. Respondent stated to the Investigative Committee that as a result of Complainant’s physical disabilities, including being deaf, and their

complex psychiatric history, which include mental health conditions that are difficult to treat and manage, that it was appropriate to utilize treatment regimens that are outside the normal scope of practice. The Investigative Committee ultimately concluded that Respondent's interactions with the patient were not professionally appropriate.

5. Respondent was interviewed by the Board's Investigative Committee in connection with its investigation of the Complaint, on July 7, 2022.

6. The Investigative Committee has made a probable cause determination of unprofessional conduct on the part of Respondent, for the reasons set forth above, in violation of R.I. Gen. Laws § 5-37-5.1(19), by failing to maintain professionally appropriate boundaries during the doctor-patient relationship.

Based upon the foregoing, the Parties agree as follows:

1. Respondent admits to and agrees to remain under the jurisdiction of the Board.
2. Respondent agrees to this Consent Order and understands that it is subject to final approval by the Board and is not binding on Respondent until final ratification.
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 ^{their} ~~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 reported to the National Practitioner Data Bank and Federation of State Medical Boards and posted to the RI DOH public website.

4. Respondent is hereby issued an order of reprimand by the Board and shall pay administrative fees in the amount of \$1,100.00. Said administrative fees must be paid within three (3) months of the ratification of this Consent Order and shall be made payable to the Rhode Island General Treasurer, and delivered to the Rhode Island Department of Health, 3 Capitol Hill, Room 205, Providence, RI 02908, Attn. Jessica DeSanto. Respondent will send notice of compliance of this condition to DOH.PRCCompliance@health.ri.gov within thirty (30) days of submitting the above-referenced payment.

5. Respondent, at her own expense, shall complete and successfully pass a course such as the Center for Personalized Education for Physician (CPEP), Problem Based Ethics and Boundaries Course (PROBE) (“the PROBE Ethics and Boundary Program”). Any course other than the PROBE Ethics and Boundary Program must be pre-approved by the Board. Respondent shall also complete and successfully pass a medical records course. Both courses must be completed within six (6) months from the ratification of this Consent Order. Respondent shall also be required to comply with the recommendations provided to her in writing at the two courses she is required to take hereunder.

6. In the event that any term of this Consent Order is violated, after ratification and approval, the Board or its Director shall have the discretion to impose further disciplinary action pursuant to R.I. Gen. Laws §§ 5-37-5.1 through 5-37-6.3. If the Board or its Director imposes further disciplinary action, Respondent shall be given notice and shall have the right to request an administrative hearing within twenty (20) days of further discipline. The Board or its Director shall also have the discretion to request an administrative hearing after notice to Respondent of a violation of any term of this Consent Order. Any administrative hearings, whether initiated by the Board or the Respondent, shall

be conducted in accordance with R.I. Gen. Laws §§ 5-37-5.1 through 5-37-6.3 or R.I. Gen. Laws §§ 5-37-8 and 42-35-14(c), the Rules and Regulations for the Licensure and Discipline of Physicians (216-RICR-40-05-1), the Rules and Regulations for Practices and Procedures Before the Rhode Island Department of Health (216-RICR-10-05-4), and applicable provisions of R.I. Gen. Laws Chapter 42-35-1 *et seq.*

As Assented to and Signed this 23 day of August 2023.


Achina P. Stein, D.O.

Ratified by the Medical Licensure and Discipline Board on the 11th day of October
_____ 2023.

