

**STATE OF VERMONT
BOARD OF MEDICAL PRACTICE**

In Re: Alban J. Coghlan, M.D.

Docket No. MPC

112-0806

Board Review and Order

The Vermont Board of Medical Practice (Board) met on August 1, 2012 to consider Dr. Coghlan's request that it:

- Strike all Findings and Conclusions on Counts V¹ in the Board's March 24, 2011 Amended Order (Order)
- Strike all Findings and Conclusions on Count IX² in the Order
- Delete Paragraph 3 of the Order³
- Make a specific finding that Dr. Coghlan "is a physician who is ethically fit to practice medicine."

Atty. R. Joseph O'Rourke represented Dr. Coghlan. The State of Vermont was represented by Assistant Attorney General (AAG) Robert McDougall. Dr. Coghlan spoke on his own behalf and answered questions from Board members.

Dr. Coghlan argued that the Findings and Conclusions in Counts V and IX as well as the provisions of Paragraph 3 had the "unintended consequence" of preventing him from being employed as a physician and urged the Board to help him regain work in a profession that he had devoted his adult life to. AAG McDougall responded by reminding the Board that Dr. Coghlan did not deny the truth of the Findings and Conclusions on Counts V and Count IX and that if the Board were to strike these findings it would be violating its primary obligation - to protect the public.

At the close of the hearing, the Board⁴ met in closed session to consider each of Dr. Coghlan's requests (set out above) individually. It voted to deny each of these requests.

¹ Prescribing Lorazepam and Oxycodone to an immediate family member

² Prescribing Vicodin to himself

³ . . . Any future employment in the practice of medicine "shall be approved in advance by the Board."

⁴ The parties agreed that members of the original Hearing Panel and members of the Central Committee would not participate in the deliberations. The parties had also agreed that five Board members would constitute a quorum.

Order

The Vermont Board of Medical Practice adjudges and orders that each of Dr. Coghlan's requests is DENIED.

Patricia A. King MD PhD.

Patricia King, M. D., PHD
Chair