

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Board of Registration in Medicine

Adjudicatory Case No. 2017-044

In the Matter of)

BRIAN COOLBAUGH, M.D.)

CONSENT ORDER

Brian Coolbaugh, M.D. (Respondent) and the Complaint Counsel agree that the Board of Registration in Medicine (Board) may issue this Consent Order with all the force and effect of a Final Decision within the meaning of 801 C.M.R. 1.01(11)(d). The Respondent admits to the findings of fact described below and agrees the Board may make conclusions of law and impose a sanction in resolution of Docket No. 15-127.

BIOGRAPHICAL INFORMATION

1. The Respondent was born on January 7, 1956. He is certified by the American Board of Radiology. He is a 1982 graduate of the University of Massachusetts Medical School and has been licensed to practice medicine in Massachusetts since 1987 under certificate number 57375. He was previously affiliated with Milford Regional Medical Center (MRMC).

FINDINGS OF FACT

2. In mid-December 2014, the Respondent's wife was diagnosed with end stage liver disease. While his wife was in the hospital for eight weeks, the Respondent self-medicated with alcohol.

3. On January 9, 2015, the Respondent ceased using alcohol.

4. On February 10, 2015, the Respondent's wife died. She was 43 years-old.

5. In April 2015, the Respondent began drinking alcohol again due to his overwhelming grief surrounding his wife's birthday.
6. During April and May 2015, the Respondent drank alcohol every evening.
7. In May 2015, the Respondent showed "Lady Godiva-like photos" of his wife to two MRMC staff members.
8. After the photograph incident, MRMC began an investigation and asked the Respondent to take a leave of absence from the hospital until the investigation concluded.
9. MRMC referred the Respondent to Physician Health Services (PHS).
10. From June 2, 2015 until June 9, 2015, the Respondent was evaluated at Bradford Health Services; the recommendation was treatment for substance use disorder.
11. From June 26, 2015 until September 17, 2015, the Respondent received treatment for his alcohol dependency at Promises Professional Treatment Center.
12. On September 17, 2015, the Respondent entered a substance use monitoring contract with PHS.
13. The Respondent has remained in compliance with his PHS contract.

CONCLUSIONS OF LAW

- A. The Respondent has violated G.L. c. 112, §5(d) and 243 CMR 1.03(5)(a)(4) by practicing medicine while his ability to do so was impaired by alcohol.
- B. The Respondent has violated G.L. c. 112, §5(h) and 243 CMR 1.03(5)(a)(11) in that he has violated rules and regulations of the Board.

SANCTION

The Respondent's license is hereby indefinitely suspended. The Respondent may petition the Board for a stay of suspension upon eighteen (18) months of continuous compliance with his

PHS contract. Any stay of suspension would be at the Board's discretion and contingent upon the Respondent's entry into a five-year Probation Agreement, the terms of which should include, but not be limited to: compliance with a PHS contract, practice pursuant to a Board-approved practice plan with monitoring, and any other terms and conditions the Board deems appropriate.

This sanction is imposed for Conclusions of Law A and B individually and not for any combination of them.

EXECUTION OF THIS CONSENT ORDER

Complaint Counsel, the Respondent, and the Respondent's counsel agree that the approval of this Consent Order is left to the discretion of the Board. The signature of Complaint Counsel, the Respondent, and the Respondent's counsel are expressly conditioned on the Board accepting this Consent Order. If the Board rejects this Consent Order in whole or in part, then the entire document shall be null and void; thereafter, neither of the parties nor anyone else may rely on these stipulations in this proceeding.

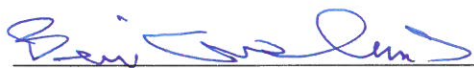
As to any matter in this Consent Order left to the discretion of the Board, neither the Respondent, nor anyone acting on his behalf, has received any promises or representations regarding the same.

The Respondent waives any right of appeal that he may have resulting from the Board's acceptance of this Consent Order.

The Respondent shall provide a complete copy of this Consent Order with all exhibits and attachments within ten (10) days by certified mail, return receipt requested, or by hand delivery to the following designated entities: any in- or out-of-state hospital, nursing home, clinic, other licensed facility, or municipal, state, or federal facility at which he practices medicine; any in- or out-of-state health maintenance organization with whom he has privileges

or any other kind of association; any state agency, in- or out-of-state, with which he has a provider contract; any in- or out-of-state medical employer, whether or not he practices medicine there; the state licensing boards of all states in which he has any kind of license to practice medicine; the Drug Enforcement Administration Boston Diversion Group; and the Massachusetts Department of Public Health Drug Control Unit. The Respondent shall also provide this notification to any such designated entities with which he becomes associated for the duration of this suspension or stayed suspension, probation, and monitoring. The Respondent is further directed to certify to the Board within ten (10) days that he has complied with this directive.

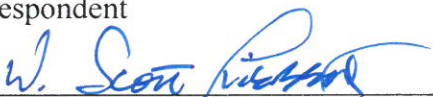
The Board expressly reserves the authority to independently notify, at any time, any of the entities designated above, or any other affected entity, of any action it has taken.



Brian Coolbaugh, M.D.
Respondent



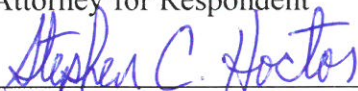
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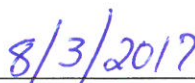
W. Scott Liebert, Esq.
Attorney for Respondent



Date



Stephen C. Hctor
Complaint Counsel



Date

So ordered by the Board of Registration in Medicine this 22 day of November, 2017.



Kathleen Sullivan Meyer
Vice Chair