

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Adjudicatory Case No.

2017-039

In the Matter of)
)
)
BRIAN P. MCKEON, M.D.)
_____)

STATEMENT OF ALLEGATIONS

The Board of Registration in Medicine (Board) has determined that good cause exists to believe the following acts occurred and constitute a violation for which a licensee may be sanctioned by the Board. The Board therefore alleges that Brian P. McKeon (Respondent) has practiced medicine in violation of law, regulations, or good and accepted medical practice, as set forth herein. The investigative docket number associated with this order to show cause is Docket No. 14-317.

BIOGRAPHIC INFORMATION

1. The Respondent was born on August 3, 1966. He graduated from Georgetown University School of Medicine in 1993 and has been licensed to practice medicine in Massachusetts since 1988 under license number 156516.

FINDINGS OF FACT

2. On July 26, 2008, Tisbury Police arrested the Respondent and charged him with Operating a Motor Vehicle while Under the Influence of Alcohol.

3. The Edgartown District Court (Court) docket sheet establishes that the Respondent was arraigned on the charges of Marked Lanes Violations, OUI Liquor and Negligent Operation of a Motor Vehicle on July 26, 2008.
4. On August 25, 2008, the Court dismissed the Operating Under the Influence count outright. The Respondent pled guilty to Operating Negligently, and was placed on probation for a period of nine months.
5. The Respondent was required to report the 2008 arrest in his 2009 license renewal application.
6. Question 17 on that application pertains to incidents occurring between the period of the licensee's last application and the date on which the current application is completed.

Question 17 asks the following:

- a. Have you been charged with any criminal offense during this period?
 - b. Have any criminal offenses/charges against you been resolved during this time period?
 - c. Are there any criminal charges pending against you today?
 - d. Are any Application of Issuance of Process pending against you?
7. The Respondent answered "no," to each question

LEGAL BASIS FOR PROPOSED RELIEF

- A. Pursuant to G.L. c. 112, § 5, eighth par. (a) and 243 CMR 1.03(5)(a)1, the Board may discipline a physician upon proof satisfactory to a majority of the Board, that said physician has fraudulently procured his certificate of registration or its renewal.
- B. The Board has jurisdiction over this matter pursuant to G.L. c. 112, §§ 5, 61 and 62. This adjudicatory proceeding will be conducted in accordance with the provisions of G.L. c. 30A and 801 CMR 1.01.

NATURE OF RELIEF SOUGHT

The Board is authorized and empowered to order appropriate disciplinary action, which may include revocation or suspension of the Respondent's license to practice medicine. The Board may also order, in addition to or instead of revocation or suspension, one or more of the following: admonishment, censure, reprimand, fine, the performance of uncompensated public service, a course of education or training or other restrictions upon the Respondent's practice of medicine.

ORDER

Wherefore, it is hereby ORDERED that the Respondent show cause why he should not be disciplined for the conduct described herein.

By the Board of Registration in Medicine,

Candace Lapidus Sloane, MD

Candace Lapidus Sloane, M.D.,
Chair

Dated: October 26, 2017