

**STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS**

**DEPARTMENT OF HEALTH
BOARD OF MEDICAL LICENSURE AND DISCIPLINE**

**IN THE MATTER OF:
Michael C. Coburn, M.D.
License Number MD08308
Controlled Substances Registration CMD08308
BMLD Case Number C12-956**

CONSENT ORDER

Michael C. Coburn, M.D. (hereinafter "Respondent") is licensed as a physician in Rhode Island and is registered to prescribe controlled substances under Rhode Island General Laws chapter 21-28, having both a state Controlled Substances Registration and a Federal Drug Enforcement Administration Registration to prescribe controlled substances. After reviewing the above-referenced complaint, and new evidence about efforts made by Respondent to ameliorate the conditions cited in the above-referenced complaint, the Board makes the following:

FINDINGS OF FACT

1. Respondent is a licensed physician in the State of Rhode Island and was issued his license on January 14, 1993 and currently remains valid until June 30, 2014, pending actions of the Board. His primary specialty is surgery, in which he is currently board certified. He is a graduate of Brown University Warren Alpert School of Medicine.
2. In January of 2005 respondent volunteered information regarding substance abuse to the Rhode Island Medical Society and the Rhode Island Medical Board,

received medical leave from his surgical practice, and sought treatment in Williamsburg, Virginia. Upon completing treatment (February 2, 2005 to May 6, 2005) Respondent entered a five year contract with the Rhode Island Medical Society.

3. On November 15, 2012 respondent admitted to relapsing to substance abuse, primarily alcohol and opiates, to a surgical partner and his employer, Kent Hospital. He then contacted the Rhode Island Medical Society and the Rhode Island Board of Medicine were notified. Pursuant to Rhode Island General Laws § 5-37-5.1(21) Respondent was found in violation and his medical license was suspended. Respondent entered and successfully completed treatment at the Florida Recovery Center in Gainesville, Florida from November 26, 2012 to February 28, 2013. On March 12, 2013, Respondent signed a five-year contractual agreement with the Rhode Island Medical Society Physician Health Committee ("PHC").
4. The PHC has certified to the Board that Respondent is fully compliant with all elements of his contract and fully supports his return to practice.
5. After Respondent's physician license was suspended, he has continued to work with the Physicians' Health Committee for to address the concerns arising from the events leading to suspension of his physician license.
6. The Respondent's acts constituted a civil violation of Rhode Island General Laws § 5-37-5.1(5) for dependence upon controlled substances.

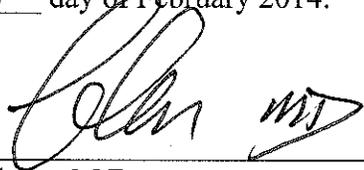
Based on the foregoing, the parties agree as follows:

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. The January 3, 2013, summary suspension of Respondent's physician license is hereby vacated.
4. 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;
 - g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review.
5. Respondent shall abstain completely from controlled substances, except those prescribed by his treating physician, and from using alcohol.

6. Respondent shall complete the remainder of his contract with the Physicians' Health Committee and shall extend said contract until the PHC shall deem appropriate.
7. Respondent shall within ninety (90) days of returning to practice contract for quarterly monitoring of at least ten (10) randomly-selected patient records by a physician/monitor approved in advance by the Board.
8. Respondent may prescribe controlled substances but shall immediately institute pain-management agreements with each patient for whom he prescribes a controlled substance for more than a thirty-day period; shall document and specify which diagnosis or diagnoses that support each controlled substance prescription; shall maintain a narcotics log for each such patient; shall refer to the web-based PMP before refilling any narcotic prescriptions; shall perform toxicology screening of any patient who exhibits "drug-seeking" behavior or repeated early pharmacy requests for controlled substances; and shall require any patient who has a controlled substance prescription to have it filled at a Rhode Island pharmacy only.
9. Respondent agrees to this reprimand on his physician license.
10. Respondent agrees to pay an administrative fee to the Board for costs associating with investigating this complaint. Respondent shall submit to the Board within sixty (60) days a check made payable to the Rhode Island General Treasury for the amount of \$1000.00.
11. Respondent will remain on probation for five (5) years following ratification of this order by the Board.

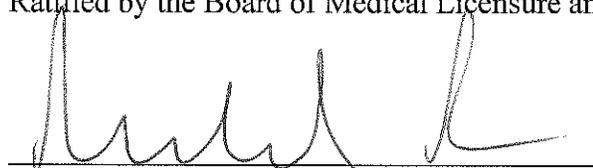
12. In the event that any term of this Consent Order is violated, after signed and accepted, the Director of the Department of Health shall have the discretion to summarily suspend the Respondent's license and/or impose further disciplinary action. If the Director suspends the license and/or imposes further disciplinary action, Respondent shall be given notice and shall have the right to request an administrative 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 an administrative hearing after notice to Respondent of a violation of any term of this Consent Order. The Administrative Hearing Officer may suspend Respondent's license, or impose further discipline, for the remainder of Respondent's licensing period if the alleged violation is proven by a preponderance of evidence.

Signed this 11 day of February 2014.



Michael C. Coburn, M.D.

Ratified by the Board of Medical Licensure and Discipline on the 12 day of February 2014.



Michael Fine, M.D.
Director of Health