

**TRUE AND EXACT  
COPY OF ORIGINAL**

**BEFORE THE MINNESOTA  
BOARD OF MEDICAL PRACTICE**

In the Matter of the  
Medical License of  
Kevin M. Coonan, M.D.  
Year of Birth: 1967  
License Number: 61714

**STIPULATION  
AND ORDER FOR  
STAYED SUSPENSION**

IT IS HEREBY STIPULATED AND AGREED, by and between Kevin Michael Coonan, M.D. ("Respondent"), and the Complaint Review Committee ("Committee") of the Minnesota Board of Medical Practice ("Board") as follows:

1. During all times herein, Respondent has been and now is subject to the jurisdiction of the Board from which he holds a license to practice medicine and surgery in the State of Minnesota.

2. Respondent has been advised by Board representatives that he may choose to be represented by legal counsel in this matter. Respondent has chosen to be represented by Christa Groshek, Groshek Law, 302 North 10th Avenue, Minneapolis, Minnesota 55401. The Committee was represented by Keriann Riehle and Daniel Schueppert, Assistant Attorneys General, 445 Minnesota Street, Suite 1400, St. Paul, Minnesota 55101, (651) 728-7238.

**FACTS**

3. For the purpose of this Stipulation, the Board may consider the following facts as true:

a. Respondent was licensed by the Board to practice medicine and surgery in the State of Minnesota on January 26, 2017. Respondent is board certified in emergency medicine.

b. On November 3, 2020, the Board received a report alleging that Respondent purchased narcotics and sedatives for himself using a patient's name. Specifically, the report stated that on October 30, 2020, prescriptions were purchased using a patient's name who had been discharged from the emergency department on October 29, 2020. Video surveillance recorded Respondent approaching the dispenser at least six times that day. Respondent's medical privileges were revoked, and an internal investigation was initiated.

c. In November 2020, the Board received a report that, during his enrollment with the Health Professionals Services Program ("HPSP"), Respondent admitted that, in October 2020, he wrote prescriptions for controlled substances using a patient's name for his own use.

d. In December 2020, Respondent entered into a Participation Agreement with HPSP, including but not limited to the following terms: abstain from alcohol and all mood-altering chemicals; obtain a primary care physician to coordinate overall medical care; meet with a therapist at least twice a month; meet quarterly with a psychiatrist and follow all treatment recommendations; attend at least two AA/NA meetings per week and maintain a sponsor; attend at least one monthly support groups meeting; and submit to unannounced toxicology screens on a periodic basis as requested by HPSP.

e. Between December 29, 2020, and July 12, 2021, HPSP reported that Respondent was out of compliance with his Participation Agreement as he missed five required toxicology screenings, provided three late screenings, and provided two dilute urine specimens.

f. On September 27, 2021, Respondent met with the Committee to discuss the allegations. Respondent admitted that he wrote prescriptions for controlled substances using a patient's name for his own use. Respondent also discussed his chemical dependency, his recovery, and the support systems he has in place to help him maintain his sobriety. The Committee

discussed the matter and decided to offer Respondent this Stipulation and Order for Stayed Suspension.

### **STATUTES**

4. The Committee views Respondent's practices as inappropriate in such a way as to require Board action under Minnesota Statutes section 147.091, subdivision 1 (f) (violating a state or federal narcotics law), (g) (engaged in unethical or improper conduct), (k) (engaged in conduct that departs from or fails to conform to the minimal standards of acceptable and prevailing medical practice); (l) (inability to practice medicine due to illness), (o) (improperly managed medical records), (r) (became addicted or habituated to a drug or intoxicant) and Minnesota Statutes section 214.355 (violating the terms of the HPSP participation agreement) (2020), and Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify the disciplinary action under these statutes.

### **REMEDY**

5. Upon this Stipulation and all of the files, records, and proceedings herein, Respondent does hereby consent that the Board may make and enter an Order **SUSPENDING** Respondent's license to practice medicine and surgery in the State of Minnesota, but the suspension is **STAYED** contingent upon Respondent's compliance with the following terms and conditions:

a. Respondent shall participate in the Health Professionals Services Program ("HPSP") and fully comply with all terms and conditions of his HPSP Participation Agreement. Respondent shall sign releases allowing HPSP to provide all compliance and treatment data to the Board. A violation of his HPSP Participation Agreement will constitute a violation of this Order;

b. Respondent shall practice in a pre-approved, supervised, group setting;

c. Respondent shall maintain a daily log of all controlled substance prescriptions. The log shall be made available for monthly review by his supervising physician; and

d. Respondent may petition for reinstatement of an unconditional license no sooner than four years from the date of this Order. Upon petitioning, he shall submit evidence satisfactory to the Board of a minimum of four years of documented, uninterrupted recovery commencing no sooner than the date of this Order and successful completion of all the terms of this Order. Upon hearing Respondent's petition, the Complaint Review Committee may recommend that the Board continue, modify, or remove the suspension or impose conditions and restrictions as deemed necessary.

6. Within ten days of signing the Stipulation to this Order, Respondent shall provide the Board with a list of all Respondent's residences and all work sites. Within seven days of any change, Respondent shall provide the Board with new address and telephone number information. The information shall be sent to the Executive Director, Minnesota Board of Medical Practice, 335 Randolph Avenue, Suite 140, St. Paul, Minnesota 55102.

7. If the Complaint Review Committee has probable cause to believe that Respondent has failed to comply with any of the requirements for staying the suspension of his license as set forth in paragraph 5 above, or has failed to comply with the HPSP Participation Agreement, the Complaint Review Committee may remove the stay of suspension and suspend Respondent's license pursuant to the procedures outlined below:

a. The removal of the stayed suspension shall take effect upon service of an Order of Removal of Stayed Suspension ("Order of Removal"). Respondent agrees that the Complaint Review Committee is authorized to issue an Order of Removal, which shall remain in effect and shall have the full force and effect of an order of the Board until the Board makes a final determination pursuant to the procedures outlined in paragraph 8 below, or until the suspension is dismissed and the order is rescinded by the Complaint Review Committee. The Order of Removal shall confirm the Complaint Review Committee has probable cause to believe Respondent has failed to comply with or has violated one or more of the requirements for staying the suspension of Respondent's license.

b. Respondent further agrees an Order of Removal issued pursuant to this paragraph shall be deemed a public document under the Minnesota Government Data Practices Act. Respondent waives any right to a hearing before removal of the stayed suspension.

c. The Complaint Review Committee shall schedule a hearing before the Board pursuant to paragraph 8 below to be held within 60 days of service of the Order of Removal.

8. If the Complaint Review Committee issues an Order of Removal pursuant to paragraph 7 above, the following shall apply:

a. The Complaint Review Committee shall mail Respondent a notice of the violation alleged by the Complaint Review Committee and of the time and place of the hearing referred to in paragraph 7.c. above. Respondent shall submit a response to the allegations at least three days prior to the hearing. If Respondent does not submit a timely response to the Board, the allegations may be deemed admitted.

b. At the hearing before the Board, the Complaint Review Committee and Respondent may submit affidavits made on personal knowledge and argument based on the record

in support of their positions. The evidentiary record before the Board shall be limited to such affidavits and this Stipulation and Order. Respondent waives a hearing before an administrative law judge and waives discovery, cross-examination of witnesses, and other procedures governing administrative hearings or civil trials.

c. At the hearing, the Board will determine whether to impose additional disciplinary action, including additional conditions or limitations on Respondent's practice, or revocation of Respondent's license.

d. The Complaint Review Committee, at its discretion, may schedule a conference with Respondent prior to the hearing before the Board to discuss the allegations and to attempt to resolve the allegations through agreement.

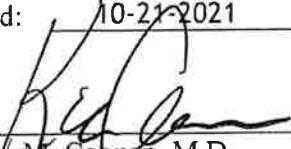
9. In the event the Board in its discretion does not approve this settlement, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any disciplinary action by either party hereto except that Respondent agrees that should the Board reject this Stipulation and if this case proceeds to hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or of any records relating hereto.

10. Respondent waives any further hearings on this matter before the Board to which Respondent may be entitled by Minnesota or United States constitutions, statutes, or rules and agrees that the Order to be entered pursuant to the Stipulation shall be the final Order herein.

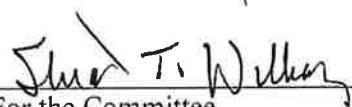
11. Respondent hereby acknowledges that he has read and understands this Stipulation and has voluntarily entered into the Stipulation without threat or promise by the Board or any of its members, employees, or agents. This Stipulation contains the entire agreement between the

parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Stipulation.

Dated: 10-21-2021

  
Kevin M. Coonan, M.D.  
Respondent

Dated: 11/10/21

  
For the Committee

### ORDER

Upon consideration of this stipulation and all the files, records, and proceedings herein,  
IT IS HEREBY ORDERED that the terms of this stipulation are adopted and implemented by the  
Board this 13th day of November, 2021.

MINNESOTA BOARD OF  
MEDICAL PRACTICE

By: 