



D. Subsequently, the Board determined that the factual basis of the complaint was or may have been true, and was of sufficient gravity to warrant further action. Accordingly, the Board scheduled an informal conference with Dr. Vachon. By letter dated May 21, 1986, the Board provided Dr. Vachon with notice of the issues to be discussed at the informal conference. Dr. Vachon was advised that he could be represented by counsel at the informal conference.

E. The Board held the informal conference on July 8, 1986 at its offices in Winslow, Maine. Dr. Vachon was represented by counsel. The conference was held in executive session of the Board.

F. On the basis of the information presented to the Board and of the discussions held with Dr. Vachon at the informal conference, the Board found that the factual bases of the complaint were true and of sufficient gravity to warrant further action.

G. The Board decided that entering into a Consent Agreement with Dr. Vachon, pursuant to 32 M.R.S.A. § 3282-A(1)(A), was appropriate in this case.

#### COVENANTS

1. In reliance upon and in consideration of the covenants undertaken by Dr. Vachon in this Consent Agreement, upon execution of this Consent Agreement by all parties the Board

agrees to terminate its investigation of the complaints regarding Dr. Vachon.

2. Dr. Vachon agrees as follows:

(a) That he shall immediately dispose of or destroy all anorectic drugs which he has in his possession or control, whether in his office or elsewhere. That he shall dispose of the drugs in a manner consistent with law and DEA regulations.

(b) That he no longer shall order or stock any anorectic drugs in his office or elsewhere.

(c) That he no longer shall dispense anorectic drugs to patients.

(d) That, where permitted by this Consent Agreement to prescribe anorectic drugs, he shall do so only by following accepted medical practices for writing prescriptions, requiring patients to have the prescriptions filled at pharmacies.

(e) That he may prescribe anorectic drugs for any one patient for a normal 30-day dosage only. Once a patient has received a normal 30-day dosage prescription of any anorectic drug, Dr. Vachon may never again prescribe any anorectic drugs for that patient.

(f) That he may not prescribe anorectic drugs to any current patient of his who, for 30 days or more, has used anorectic drugs received from or prescribed by Dr. Vachon.

(g) That failure, without good cause shown, to comply with any provision of this Consent Agreement shall result in the revocation of Dr. Vachon's license to practice medicine in the State of Maine. Within ten days after written demand from the Board, Dr. Vachon shall surrender his license to practice medicine. If Dr. Vachon believes that he had good cause for failing to comply with the Consent Agreement, he shall so notify the Board in writing within ten days after receiving the Board's written demand for surrender of his license. If the Board determines that good cause does not exist, the matter shall be submitted to the Administrative Court. The only issue before the Court shall be whether good cause existed for Dr. Vachon's failure to comply with the Consent Agreement. If the Administrative Court determines that good cause does exist, then Dr. Vachon's license to practice medicine in Maine shall immediately be revoked.

3. Waiver from time-to-time by the Board of any requirement hereunder shall not be deemed a waiver of such requirement in the future (unless otherwise specified in

writing) nor shall it be construed as a waiver of any other provision of this Consent Agreement.

DATED: August 8, 86 Robert Vachon M.D.  
ROBERT D. VACHON, M.D.

DATED: August 12, 1986 John P. Doyle, Jr.  
PRETI, FLAHERTY & BELIVEAU,  
by: John P. Doyle, Jr.  
Attorneys for ROBERT D. VACHON, M.D.

DATED: August 17, 1986 Edward F. Bradley Jr.  
EDWARD F. BRADLEY, Chairman, for the  
BOARD OF REGISTRATION IN MEDICINE

DATED: August 20, 1986 Kenneth W. Lehman  
KENNETH W. LEHMAN,  
Assistant Attorney General  
Attorney for the BOARD OF REGISTRATION  
IN MEDICINE