

**STATE OF NEW HAMPSHIRE
NH BOARD OF MEDICINE
CONCORD, NH 03301**

In the Matter of:
Shannon Patrick Calhoun, D.O.
License #14913

Docket No.: 2022-MED-026

SETTLEMENT AGREEMENT

In order to avoid the delay and expense of further proceedings and to promote the best interests of the public and the practice of Medicine, the New Hampshire Board of Medicine ("Board") and Shannon Patrick Calhoun, D.O., ("Respondent"), a physician licensed by the Board, do hereby stipulate and agree to resolve certain allegations of professional misconduct now pending before the Board according to the following terms and conditions:

1. Pursuant to RSA 329:17, I; RSA 329:18; RSA 329:18-a; and Medical Administrative Rule ("Med") 206 and 210, the Board has jurisdiction to investigate and adjudicate allegations of professional misconduct committed by physicians. Pursuant to RSA 329:18-a, III, the Board may, at any time, dispose of such allegations by settlement and without commencing a disciplinary hearing.
2. Pursuant to RSA 329:17-c and Med 410.01, when the Board receives notice that a licensee has been subjected to disciplinary action related to professional conduct by the licensing authority of another jurisdiction, the Board shall issue an order directing the licensee to demonstrate why reciprocal discipline should not be imposed in New Hampshire. Pursuant to Med 410.01(b), the Board may impose disciplinary sanctions on the basis of reciprocal action taken by another jurisdiction.

3. Pursuant to RSA 329:17, VI-a, upon finding a licensee is afflicted with physical or mental disability, disease, disorder, or condition deemed dangerous to the public health, the Board may take non-disciplinary remedial action against said licensee
4. The Board first granted Respondent a license to practice as a physician in the State of New Hampshire on July 7, 2010. Respondent holds license number 14913 which expires on December 31, 2023. The Respondent resides in Oklahoma.
5. Respondent is licensed to practice in 45 states.
6. If this matter were to go to a hearing, the Board could find the following facts:
 - A. On or about September 9, 2021, the Respondent and the Colorado Medical Board executed a Stipulation and Final Agency Order to resolve allegations that the Respondent has a physical or mental illness that renders Respondent unable to perform medical services with reasonable skill in the absence of treatment and monitoring.
 - B. Those allegations were based on the Respondent's 2019 disclosure that the Respondent had attended and successfully completed a 90-day alcohol abuse treatment program between January and April 2019.
 - C. The Colorado Stipulation placed the Respondent's license on probation for a period of five years conditioned, principally, on sustained abstinence from addictive substances, and ongoing treatment, testing, and monitoring by the Colorado Physician Health Program.
 - D. The Respondent voluntarily entered a monitoring agreement with the New Hampshire Professionals Health Program ("NHPHP") in July 2019 and has maintained compliance with that program via reciprocal monitoring by the

Oklahoma Physician Health Program. That monitoring agreement has a five year term, unless extended due to violation by the Respondent or by agreement between the Respondent and NHPHP.

7. The Board finds that Respondent committed the acts as described above and concludes that, by engaging in such conduct, Respondent violated RSA 329:17, VI (b), which is disciplinable misconduct under RSA 329:17, VI.
8. Respondent acknowledges that the above-described conduct constitutes grounds for the Board to impose disciplinary sanctions against his license to practice as a physician in the State of New Hampshire.
9. However, the Board finds that Respondent has is afflicted with a qualifying disorder pursuant to RSA 329:17, VI-a.
10. Respondent consents to the Board imposing the following **NON-DISCIPLINARY REQUIREMENT**, pursuant to RSA 329:17, VI-a:
 - A. Respondent must submit to the care, treatment, or observation of a professional assistance program, specifically NHPHP, and comply with all treatment recommendations and all other recommendations, requirements, conditions, and terms of his NHPHP monitoring agreement until such time as his monitoring agreement terminates.
11. Should Respondent fail to comply with any of the terms of this *Settlement Agreement*, the Board reserves the right to suspend Respondent's license or impose other authorized discipline.
12. Except as provided herein, this *Settlement Agreement* shall bar the commencement of further disciplinary action by the Board based upon the misconduct described above.

However, the Board may consider this misconduct as evidence in the event that similar misconduct is proven against Respondent in the future. Additionally, the Board may consider this Agreement as a factor in determining appropriate discipline should any further misconduct be proven against Respondent in the future.

13. This *Settlement Agreement* shall become a permanent part of Respondent's file, which is maintained by the Board as a public document.

14. Respondent voluntarily enters into and signs this *Settlement Agreement* and states that no promises or representations have been made other than those terms and conditions expressly stated herein.

15. Respondent understands that his action in entering into this *Settlement Agreement* is a final act and not subject to reconsideration or judicial review or appeal.

16. Respondent has had the opportunity to seek and obtain the advice of an attorney of his choosing in connection with his decision to enter into this agreement.

17. Respondent understands that the Board must review and accept the terms of this *Settlement Agreement*. If the Board rejects any portion, the entire *Settlement Agreement* shall be null and void. Respondent specifically waives any claims that any disclosures made to, or by, the Board involving its review of this *Settlement Agreement* have prejudiced his right to a fair and impartial hearing in the future if this *Settlement Agreement* is not accepted by the Board.

18. Respondent is not under the influence of any drugs or alcohol at the time he signs this *Settlement Agreement*.

19. Respondent certifies that he has read this document titled *Settlement Agreement*.

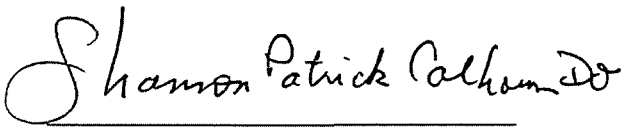
20. Respondent understands that he has the right to a formal adjudicatory hearing

concerning this matter and that at said hearing he would possess the rights to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on his own behalf, to contest the allegations, to present oral argument, and to appeal to the courts. Further, Respondent fully understands the nature, qualities and dimensions of these rights. Respondent understands that by signing this *Settlement Agreement*, he waives these rights as they pertain to the misconduct described herein.

21. This *Settlement Agreement* shall take effect as an Order of the Board on the date it is signed by an authorized representative of the Board.

FOR RESPONDENT

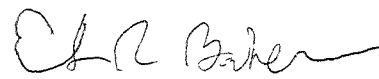
Date: Jan 9, 2023


Shannon Patrick Calhoun, D.O.

FOR THE BOARD/*

This proceeding is hereby terminated in accordance with the binding terms and conditions set forth above.

Date: 2/1/2023


(Signature)

Emily R Baker MD
(Print or Type name)
Authorized Representative of the
New Hampshire Board of Medicine