

**STATE OF NEW HAMPSHIRE
OFFICE OF PROFESSIONAL
LICENSURE AND CERTIFICATION**

**BOARD OF LICENSING FOR ALCOHOL AND
DRUG USE PROFESSIONALS**

**In Re: Robert F. Faghan,
MLADC Lic. #0993**

Docket No.: 2021-ALC-0004

**FINAL SHOW CAUSE ORDER
AND APPROVAL - 07/30/21**

I. ATTENDEES:

Jacqueline Abikoff, Board Member
Alexandra Hamel, Board Member
Kelly Luedke, Board Member
Angela Whiting, Board Member
Ashley Czechowicz, Administrator
Juliette Rodriguez, Administrative Assistant
Attorney Sarah Crisp, Counsel for Licensee
Attorney Jack Crisp, Co-Counsel for Licensee
Sherri Phillips, Board Counsel (recused)
Todd H. Prevett, OPLC Hearings Examiner and Presiding Officer

II. CASE SUMMARY/PROCEDURAL HISTORY:

On or about 05/04/21, the Board received a completed application from Robert F. Faghan, ("Applicant") seeking renewal of his MLAC license. On or about 06/02/21, Licensee was subject to an audit of his CEUs for the period of 2018 to 2020. Due to questions about information in the application and the CEU audit letter, the Board commenced an adjudicative, non-disciplinary matter and held a final adjudicative hearing on 07/08/21 at 9:30 am. Pursuant to N.H. Code Admin. R. Alc 201.01(k), ("Rules"), Todd H. Prevett, Esq. was appointed by the Board as presiding officer.

IV. CONDUCT OF THE HEARING AND EVIDENCE PRESENTED:

The Applicant appeared for hearing before the Board with counsel to provide an explanation of the insufficient documentation of his CEUs hours. The Board discussed a possible conflict of interest with Board Counsel Sherri Phillips and Attorney Phillips recused herself on the record. Pursuant to Rule 212.01, Applicant has the burden of proving by a preponderance of the evidence that he has completed sufficient CEUs and is otherwise qualified for renewal as an MLADC.

The Applicant was sworn and testified on his own behalf. Applicant openly stated that he has terminal cancer and is scaling back his practice. In the process of moving out of his physical office, Applicant accidentally destroyed some of the CEU certificates that he had. Applicant produced evidence in the form of an affidavit of his office staff indicating that they accidentally destroyed the CEU documents, but Applicant insists that he did complete them. Applicant did submit some documentation, showing the CEUs that he either attended or taught.

Applicant attempted to use due diligence to go back and obtain confirmation of all the courses he had attended. The Board requested that Applicant attempt to contact the conference administrators and obtain copies of his CEU certificates that are electronically archived. Applicant provided those documents within the 15-day deadline given by the Board. A review of these new documents seems to indicate that Applicant has completed significant hours of CEUs. After reviewing all of the evidence, and taking into account the presentation and demeanor of all the witnesses, the Board finds, by a preponderance of the evidence, that Applicant has met his burden of showing sufficient CEUs in order to renew his MLADC license.

VI. CONCLUSION AND DECISION:

Pursuant to RSA 330-C:22 and 24, and Rules 403 and 409, the Board hereby APPROVES Robert Faghan's application for renewal of his license as an MLADC for the reasons stated above.

DATED: 07/30/21

_____/s/ Todd H. Prevett, Esq._____
Todd H. Prevett, Esq., Hearings Examiner
Authorized Representative of the Board of
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