

EXHIBIT 2

DOCUMENTS IDENTIFIED AS PROVIDING THE FINDINGS OF FACT PRESENTED IN FEBRUARY 6, 2013 BOARD ORDER STATEMENTS 9-12

PART A: DOCUMENTS PROVIDING EVIDENTIARY FACTS PRESENTED
IN STATEMENTS 9 AND 11 (PROVIDE EVIDENCE OF REPORTED
ATTENDANCE AT REQUIRED MEETINGS)

PART B: DOCUMENTS PROVIDING EVIDENTIARY FACTS PRESENTED
IN STATEMENTS 10 AND 12 (PROVIDE EVIDENCE THAT CONTRADICTS
REPORTED ATTENDANCE AT THE REQUIRED MEETINGS)

EXHIBIT 2 PART A

STATEMENT (9)

Pages 1 and 2

Among the additional documents submitted by Physician Health Services were **copies of the Licensee's self-reports of attendance at meetings**. These self-reports indicate that the Licensee reported attendance at a physicians group meeting at **Bournewood** Hospital for the following dates: **February 29, 2012**; April 4, 2012; April 11, 2012; April 18, 2012; April 25, 2012; May 2, 2012; May 9, 2012; May 16, 2012; May 23, 2012; May 30, 2012; June 13, 2012; June 20, 2012; and June 27, 2012.

STATEMENT (11)

Pages 2 and 3

On January 9, 2013, the Licensee through his legal representative, submitted a document to the Board's Physician Health and Compliance Unit, **which he claimed was the list of meetings he submitted to PHS to demonstrate his attendance at meetings**. This document includes listings for a physician group meeting at Bournewood Hospital for the following dates: April 4, 2012; April 11, 2012; April 18, 2012; April 25, 2012; May 2, 2012; May 9, 2012; May 16, 2012; May 23, 2012; May 30, 2012; June 13, 2012; June 20, 2012; June 27, 2012 and **October 3, 2012**.

Michael Langan

6172774012

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#1310

Date	Type of Meeting	Location	Topic	Attendee (phone # Below)
Mon 1/9/12	Physician Group	MMS	Family/holidays	Lisa
Wed 1/11/2012	AA	Back Bay	Arlington	Grace Ally
Friday 1/13/12	AA	All Saints	Big Book	Liz
Mon. 1/16/12	Physician	MMS	personal story	Lisa
Wed 1/18/12	AA	Back Bay	Speaker	Ally
Friday 1/19/12	AA	All Saints	Big Book	Liz
Monday 1/23/12	Physician	MMS	roundtable	Lisa
Wednesday 1/25/12	AA	Back Bay	Speaker	Ally
Friday 1/27/12	AA	All Saints	Birthdays	Liz
Monday 1/30/12	Physician	MMS	Humility	Liz
Wed. 2/1/12	AA	Back Bay	Speaker	Ally
Friday 2/3/12	AA	All Saints	Big Book	Liz
Sunday 2/5/12	AA	St Elizabeths	Roundtable	
Mon 2/6/12	Physician Group	MMS	group	Lisa
Friday 2/10/12	AA	All Saints	Big Book	Liz
Wed 2/15/12	Physician Group	MMS	roundtable	Lisa
Friday 2/17/12	AA	All Saints	Big book	Liz
Monday 2/20/12	Physician	MMS	thanks	Lisa
Wednesday 2/22/12	AA	Back Bay	Birthdays	Ally
Friday 2/25/12	AA	All Saints	Big Book	Liz
1 → Wed 2/29/12	Physician →	Bournewood	Support →	→ Melissa
Friday 3/2/12	AA	All Saints	Big Book	Liz
Sunday 3/4/12	AA	St Elizabeths	Roundtable	
Wednesday 3/7	AA	Back Bay	Speaker	Ally
Wednesday 3/7	Physician	MMS	Roundtable	Lisa
Friday 3/9/12	AA	All Saints	Big Book	Liz
Monday 3/12	AA	Tremont	open	
Wednesday 3/14	AA	Back Bay	Speaker	Ally
Thursday 3/15	Physician	Mclean	Speaker	Melissa
Friday 3/16	AA	All Saints	Big Book	Liz
Sunday 3/18/12	AA	St Elizabeths	Roundtable	
Thursday 3/22/12	Physician	Mclean	Speaker	Melissa
Friday 3/23	AA	All Saints	Big Book	Liz
Wedn. 3/28/12	AA	Back Bay	Speaker	Ally
Thursday 3/29/12	Physician	Mclean	Speaker	Melissa
Friday 3/30/12	AA	All Saints	Big Book	Liz

Phone #'s

Lisa [redacted]
 Liz [redacted]
 Ally [redacted]
 Melissa [redacted]

This information has been disclosed to you from records maintained by Federal confidentiality rules (42 CFR Part 2). The Federal rules prohibit you from further disclosure of this information unless otherwise permitted by 42 CFR Part 2. A general statement of information is not sufficient for this purpose. The Federal rules restrict any use of the information to normally investigate or prosecute any alcohol or drug abuse patient.

#1310

	Date	Type of Meeting	Location	Topic	Attendee (phone # Below)
2	→ Mon 4/2/12	AA		Back Bay	Birthday Melissa ←
	→ Wed 4/4/12	Physician	→ Bournemouth	RT	Melissa ←
	→ Friday 4/6/12	AA		All Saints	Big Book Lisa
	→ Mon 4/9/12	AA		Back Bay	Forgiveness Melissa
3	→ Wed 4/11/12	Physician		Bournemouth	RT/Speaker Melissa
	→ Friday 4/13/12	AA		All Saints	BB study Lisa
	→ Monday 4/16/12	AA		Back Bay	Anger Melissa
4	→ Wednesday 4/18/12	Physician		Bournemouth	Speaker Melissa
	→ Friday 4/20/12	AA		All Saints	Step 1 Lisa
	→ Monday 4/23/12	AA		Back Bay	Newcomer Melissa
5	→ Wed. 4/25/12	Physician		Bournemouth	RT Melissa
	→ Friday 4/27/12	AA		All Saints	Big Book Lisa
	→ Monday 4/30/12	AA		St Elizabeth	Family None
6	→ Wed 5/2/12	Physician Group		Bournemouth	groups Melissa
	→ Friday 5/4/12	AA		All Saints	Big Book Lisa
	→ Monday 5/7/12	AA		Back Bay	Dates Melissa
7	→ Wed 5/9/12	Physician		Bournemouth	thanks Melissa
	→ Friday 5/11/12	AA		All Saints	Roll call Lisa
	→ Mon 5/14/12	AA		Back Bay	RT Melissa
8	→ Wed 5/16/12	Physician		Bournemouth	New story Melissa
	→ Friday 5/18/12	AA		All Saints	symbols Lisa
	→ Mon 5/21/12	AA		Back Bay	guest spkr Melissa
9	→ Wed 5/23/12	Physician		Bournemouth	Roundtable Melissa
	→ Friday 5/25/12	AA		All Saints	Group disc Lisa
	→ Mon 5/28/12	AA		Back Bay	Roundtable Melissa
10	→ WED 5/30/12	Physician		Bournemouth	Open Melissa
	→ 6/1-6/12	Vacation			
11	→ Wed 6/13/12	Physician		Bournemouth	RT Melissa
	→ Fri 6/15/12	AA		All Saints	holidays Lisa
	→ Mon 6/18/12	AA		Back Bay	Choices Melissa
12	→ Wed 6/20/12	Physician		Bournemouth	RT Melissa
	→ Friday 6/22/12	AA		All Saints	Group disc Lisa
	→ Mon 6/25/12	AA		Back bay	serenity Melissa
13	→ Wed 6/27/12	Physician		Bournemouth	Open Melissa
	→ Friday 6/29/12	AA		All Saints	Independence Lisa

Phone #'s

Lisa [REDACTED]

Melissa [REDACTED]

#1310

Date	Type of Meeting	Location	Topic	Attendee (phone # Below)
7/1-7/17	Out of town. Time off from random call schedule			
Wed 7/18/2012	AA	Back Bay	Arlington	Mel
Friday 7/20/12	AA	All Saints	Big Book	Liz
Mon. 7/23/12	HCP	Residence	stress	Mel
Wed 7/25/12	AA	Back Bay	Speaker	Ally
Friday 7/27/12	AA	All Saints	Big Book	Liz
Wed 8/1//12	HCP		roundtable	Mel
Monday 8/6/12/	AA	Back Bay	Speaker	Ally
Wednesday 8/8/12	AA	Back bay	Sins	Liz
Friday 8/10/12	AA	All saints	Humility	Liz
Mon 8/13/12	AA	Back Bay	Speaker	Ally
Wed 8/15/12	MMS		Physicians Group	
Friday 8/17/12	AA	St Elizabeths	Roundtable	
Mon 8/20/12	HCP	Residence	Workload	Mel
Friday 8/24/12	AA	All Saints	Big Book	Liz
Monday 8/27	HCP	Residence	justice	Mel
Friday 8/31/12	AA	All Saints	Big book	Liz
Monday 9/3/12	AA	Back Bay	Trust	Lisa
Wednesday 9/5/12	Medical Prof	S. Brookline	←	Moynihan ← 1
Friday 9/7/12	AA	All Saints	BB	Mel
Monday 9/10/12	AA	Back Bay	Speaker	Melissa
Wed 9/12/12	Med Prof	S Brookline	←	Moynihan ← 2
Friday 9/14/12	AA	All Saints		Liz
Monday 9/17/12	AA	Back Bay	Steps	Mel
Wednesday 9/19	Med Prof	S Brookline	←	Moynihan ← 3
Friday 9/21	AA	All Saints		Mel
Wed 9/26	Med Prof	S Brookline	←	Moynihan ← 4
Th 9/27	Physicians	Residence		Peteet
10/1/12	AA	Back Bay	Speaker	Melissa
10/3/2	Physician	→ Bournewood	→	Mel
10/5/12	AA	All Saints		Mel
Monday 10/8	HCP	Residence		Mel
Wed 10/10/12	Physician	Roundtable		Mel
Friday 10/12/12	All Saints			Walter
Monday 10/15	AA	Back Bay	Birthdays	Mel

14 →

Phone #'s

Lisa [redacted]
 Ally [redacted]
 Melissa [redacted]
 Walter 10/14/12
 Liz (will call you)

EXHIBIT 2 PART B

STATEMENT (10)

Pages 1- 2

Also included in the supplemental materials submitted by Physician Health Services was a **January 15, 2013 communication** to Physician Health Services that **confirmed the Licensee's attendance at the Bournemouth Hospital meetings for only the following dates: September 5, 2012; September 12, 2012, September 19, 2012; September 26, 2012; and October 17, 2012.**

STATEMENT (12)

Pages 3-5

In a January 16, 2013 email from the Licensee, which was submitted to the Physician Health and Compliance Unit by the Licensee's legal representative, **the Licensee states that he did not attend this group until September 5, 2012.** In this email, **the Licensee also states that he never informed Physician Health Services that he attended physician support group meetings at Bournemouth Hospital until September 5, 2012 and that he never identified anyone named Melissa as his contact for this group meeting.** **These statements are contradictory to the documents referenced in items (9) and (11) above.**

45 Green St.
Wrentham, Ma 02093
Fax: 508-384-6224
Pita999@msn.com
Cell 508-944-5483

Andy Moynihan Ph.D.

Fax

To: Gary Chinman, M.D.	From: Andy Moynihan, Ph.D.
Fax: 781-893-6321	Pages: 2.(including cover)
Phone:	Date: 1-15-13
Rec: Michael L. Langan, M.D.	cc:

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

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Dr. Chinman,

Please pardon my delay in getting this too you, as I have been quite ill the last couple of weeks. In any event the following dates represent the SARP meetings that Dr. Michael Langan M.D. was in attendance.

September (5,12,19,26), 2012 October 17, 2012

Sincerely


A.J. Moynihan Ph.D.

This information has been disclosed to you in accordance with the federal confidentiality rules (42 CFR part 2). The Federal rules prohibit you from disclosing this information unless further disclosure is expressly permitted by the rules, such as in certain circumstances or as otherwise permitted by 42 CFR Part 2. A general authorization for the release of medical or other information is not sufficient for this purpose. The Federal rules restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient.

Harvey, Robert (MED)

From: Jacob Hafter [jhafter@hafterlaw.com]
Sent: Wednesday, January 16, 2013 8:14 PM
To: Harvey, Robert (MED)
Cc: Michael Langan (mlangan1@me.com)
Subject: FW: PHS

Mr. Harvey,

Please see Dr. Langan's response to the PHS allegations in the below email. I would hope that the Board would be willing to accept and consider Dr. Langan's response, despite being provided after your noon deadline.

Thank you.

-----Original Message-----

From: Langan, Michael L, M.D. [mailto:Langan.MichaelL@mgh.harvard.edu]
Sent: Wednesday, January 16, 2013 3:15 PM
To: Jacob Hafter
Subject: PHS

Dear Mr. Hafter,

I shall try to address each issue that PHS notes in the document.

After returning from Hazelden in September 2011 I was told by Emil Jalonen to increase my AA meetings to 3 times per week which I did immediately and kept a record of the meetings on the handwritten document that has "Hazelden" in the right hand corner.

In October 2011 Linda Breshenan informed me that Emil Jalonen, in a telephone conversation, made the recommendation that I obtain names and telephone numbers at meetings and provide them to PHS. I called Emil Jalonen to inquire about this and he told me that he did not, and would not, make that recommendation as it 1. breaks anonymity, and 2. would be counterproductive as the meetings are supposed to benefit me. Nevertheless, my attorney told me I had to comply with whatever PHS ordered me to do.

The emails provided under separate cover show that there were problems with getting phone numbers from the outset. I addressed this issue immediately with my attorney and others as I knew it was wrong. Nevertheless, I inquired and obtained some contacts willing to comply with speaking to Gary Chinman.

When my quarterly report was due I filled it out and faxed it over with the list of meetings as I had been doing for 5 years as well as the phone numbers. The time period covered 10/1-12/30 and consisted of 2 pages with the first page documenting 10/1-12/15 and the second page containing the phone numbers and 12/15 -12/30. The second page also contained the 10/3 and 10/5 meetings because I needed to annotate them that the person who agreed to give me his phone numbers at these meeting gave a contact number and subsequently withdrew it, and 11/7 where I was "unable to find phone number."

When I met with PHS on March 6th with my attorney I gave them the new list. It then became apparent that they only had the first page of what I faxed to them. They were only looking at the page that contained 10/1-12/15. The claim that I did not go to enough physician meetings and my list was incomplete was because they only had the first page and 3 of the physicians meetings were listed on the second page because they had additional comments.

I told them they were missing an entire page that I faxed over. They also complained they could not read my writing so I went home and rewrote it more legibly on paper oriented horizontally (not vertically like the Hazelden document) and I was able to put my additional comments in and still list the dates in sequential order.

PHS states on March 12, 2012 "I provided them with an entirely new support group listing which included dates not previously listed on the first group log." If you compare the

initial document with Hazelden in the right hand corner everything is exactly the same except for the addition of the 3 annotated physician meetings and the remainder of December 12/15-12/30.

In summary, the complaint that "Dr. Langan provided a quarterly report for the fourth quarter of 2011 that contained a listing of peer support group meetings which did not, on its face, meet the requirements of the agreement. The support list did not include three meetings per week for each of the relevant weeks nor was there a physicians group listed for each week," and that there were "no names or phone numbers for consenting attendees willing to confirm attendance" is not, in fact, true. My quarterly report contained all of the above but it was on 2 pages and somehow they only had 1 page.

The remark that "there was at least one listing for a meeting at the Massachusetts Medical Society on a date when there was no such meeting conducted at that location" is referring to 10/19/12. They are correct, there was no meeting on 10/19/12 but on 10/17/12. When I transcribed the dates from the original document to the new one I inadvertently wrote a 7 instead of a 9. Please note that my contact is Spencer at this meeting and he can verify I was indeed there as it was a special occasion.

The May 7th and July 31st reports notes that I had names and telephone numbers but that "PHS was largely unable to reach any of these individuals." This is not true and is addressed in the previous documents. Dr. Chinman would call them and ask personal questions and so forth. People would agree and then relinquish after talking to Dr. Chinman. It was easier to find people who would call him which I proposed. As a compromise I tried to have Dr. Chinman give me a set time where people could call him but he would not. I subsequently gave some people Dr. Chinman's cell phone number which resulted in my attorney, Scott Liebert, getting very angry at me for giving out his cell phone number.

Please note that most of my initial and subsequent contacts (Ally, Lisa, Liz, and Walt) told me they no longer wanted to talk to Dr. Chinman. They felt he asked too many personal questions and was intimidating. Ally even told me that he felt Dr. Chinman was "stalking her."

If you wish to speak to them you may--I can have them call you.

In late February through March I documented attendance at an 8:00 Wednesday night group run by a former Bournemouth nurse and asked Melissa to document my attendance which she did.

In August Dr. Chinman was concerned that this was a "nurses meeting" and did not qualify since I was the only doctor there. He called Melissa and wanted to know who went to the meetings and the professions of those people. He told me that this meeting did not qualify as a physician meeting.

I told him I was running out of groups and continued to have a hard time finding people to document my attendance at a physician group. I told him that there was a Healthcare Professionals group that I had found online and contacted Dr. Moynihan who told me that there was a ten dollar charge and that this would document my participation. At the time I was taking the Wednesday night mind-body course which conflicted with when this meeting was held. He told me that physicians had been in the group before and that it was open to all health care professionals. I told Dr. Chinman I would start going to this group instead after the mind body classes ended.

I went to Dr. Moynihan's group starting September 5th. When I met with Dr. Chinman in September he wanted me to sign a release of information so that he could talk to Dr. Moynihan which I did.

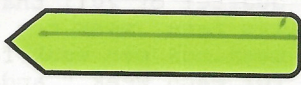
Dr. Moynihan told me that Dr. Chinman called and started asking about other people in the group and was aghast at the breaches of anonymity Dr. Chinman was making. At one point he revoked the release of information.

The documentation from Dr. Moynihan corresponds to the dates I have listed on my quarterly report. (September 5th, 12, 19, 26). Furthermore, my quarterly report does not list Melissa as being at any of Dr. Moynihan's groups as she does not go to them. I listed Dr. Moynihan as my contact person. Melissa was my contact at the Bournemouth nurses AA meeting not the health professionals group. I never said I went to the Moynihan group before

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September 1st. I had mentioned it as a possibility with Dr. Chinman but never told him I was going to it until I did.

In conclusion, All of PHS complaints that I did not go to meetings is based on them not having or misinterpreting the facts. The documents PHS faxed over today contain the facts and I do not see any basis for their claim based on these papers.



Sincerely,
Michael Langan

The information in this e-mail is intended only for the person to whom it is addressed. If you believe this e-mail was sent to you in error and the e-mail contains patient information, please contact the Partners Compliance Helpline at <http://www.partners.org/complianceline> . If the e-mail was sent to you in error but does not contain patient information, please contact the sender and properly dispose of the e-mail.