

**These charges are only allegations  
which may be contested by the licensee  
in an administrative hearing.**

IN THE MATTER  
OF  
COLIN PEMBERTON, M.D.

STATEMENT  
OF  
CHARGES

COLIN PEMBERTON, M.D., the Respondent, was authorized to practice medicine in New York State on or about June 12, 2019, by the issuance of license number 299558 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about October 8, 2019, the New Jersey Board of Medical Examiners (hereinafter, "New Jersey Board") filed an Order of Automatic Suspension of License which indefinitely suspended Respondent's license to practice medicine and surgery. This disciplinary action was based on Respondent's violation of a January 29, 2018 Consent Order of Reinstatement in which Respondent had agreed to maintain absolute abstinence from all psychoactive substances. Respondent violated this Consent Order when, following hair testing conducted in mid-September 2019, Respondent tested positive for cocaine and THC (active ingredient in cannabis).

B. The Conduct resulting in the New Jersey Board's disciplinary action against Respondent would constitute misconduct under the laws of New York State pursuant to the following Section of New York State Law:

1. New York Education Law § 6530(29) (Violating any term of probation or condition or limitation imposed on the licensee pursuant to section two hundred thirty of the public health law).

**SPECIFICATION OF CHARGES**

**HAVING HAD DISCIPLINARY ACTION TAKEN**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(d) by having his or her license to practice medicine revoked, suspended or having other disciplinary action taken, or having his or her application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his or her license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license or refusal, revocation or suspension of an application for a license or the surrender of the license would, if committed in New York state, constitute professional misconduct under the laws of New York state (namely N.Y. Educ. Law § 6530(29)) as alleged in the facts of the following:

1. The facts in Paragraphs A and B and B.1.

DATE: January 26, 2021  
Albany, New York

  
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TIMOTHY J. MAHAR  
Deputy Counsel  
Bureau of Professional Medical Conduct