

**IN THE SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 2383 Disciplinary Docket No. 3
	:	
Petitioner	:	No. 68 DB 2017
	:	
v.	:	Attorney Registration No. 56257
	:	
PATRICK STEPHEN HEALY,	:	(Allegheny County)
	:	
Respondent	:	

**ORDER**

**PER CURIAM**

**AND NOW**, this 22<sup>nd</sup> day of June, 2017 upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board, the Joint Petition in Support of Discipline on Consent is granted, and Patrick Stephen Healy is suspended from the Bar of this Commonwealth for a period of four years. The suspension is stayed in its entirety, and Respondent is placed on probation for a period of four years, subject to the following conditions:

1. Respondent shall continue treatment with Larry Sellitto, Ph.D., or another qualified mental healthcare therapist, who is to direct and supervise Respondent's activities therein;
2. Respondent shall cooperate with directions of the therapist supervising his treatment, take medications as prescribed, engage in therapy and counseling sessions as directed, and undergo prescribed random urine toxicology monitoring;
3. Respondent shall cause the therapist supervising his treatment to make written reports directed to the Secretary of the Board on a quarterly basis

for the first two years of the probation and on a semi-annual basis for the balance of probation;

4. The written reports shall include the identity and dosage of medications being currently prescribed, the nature and frequency of the therapy sessions since any prior report, the identity of the health services agency or agent providing the same, and an assessment of Respondent's mental condition at that time in regard to his mental fitness to engage in the practice of law;
5. Respondent shall immediately authorize and direct Dr. Sellitto, or any substitute or successor supervising therapist, to furnish a written report of facts and circumstances to the Secretary of the Board at any time when, in the estimation of the supervising therapist, Respondent's behavior or material failure to conduct himself in cooperation with any aspect of his prescribed treatment regimen indicates that he is, or may be, in jeopardy of shortly becoming mentally unfit to engage in the practice of law;
6. If, for any reason, Respondent severs his relationship with Dr. Sellitto, he shall immediately make a written report to the Secretary of the Board of that fact and the circumstances causing the same, together with the identification and location of another qualified therapist, who has been fully informed of the terms of this probation and has agreed to serve as a successor supervising therapist in accordance with the same;
7. Respondent shall furnish, at any time it may reasonably be requested, his written authorization for any healthcare agency or agent to furnish to the Secretary of the Board complete records of and information as to any

mental health or underlying medical care services which may have been provided to him.

8. At the conclusion of the prescribed period of probation, Respondent shall apply for termination of probation in accordance with Disciplinary Board Rule §89.293(c).

Respondent shall pay costs to the Disciplinary Board, pursuant to Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 6/22/2017

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, :

Petitioner : No. <sup>68</sup> DB 2017  
: (Complaint File No. C4-14-380)

v. :

PATRICK STEPHEN HEALY, : Attorney Registration No. 56257

Respondent : (Allegheny County)

JOINT PETITION IN SUPPORT OF DISCIPLINE  
ON CONSENT UNDER RULE 215(d), Pa.R.D.E

OFFICE OF DISCIPLINARY COUNSEL

PAUL J. KILLION  
CHIEF DISCIPLINARY COUNSEL

Cory John Cirelli  
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Pittsburgh, PA 15219  
(412) 565-3173

and

Patrick Stephen Healy, Esquire  
Respondent  
Thomas Shannon Barry & Assoc.  
1103 East Carson Street  
Pittsburgh, PA 15203  
(412) 613-3638

John E. Quinn, Esquire  
Counsel for Respondent  
Quinn Logue LLC  
200 First Avenue, 3<sup>rd</sup> Floor  
Pittsburgh, PA 15222  
(412) 765-3800

FILED

5/1/2017

The Disciplinary Board of the  
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, :

Petitioner : No. DB 2017  
                  : (Complaint File No. C4-14-360)

v.

PATRICK STEPHEN HEALY,

  : Attorney Registration No. 56257  
Respondent : (Allegheny County)

**JOINT PETITION IN SUPPORT OF DISCIPLINE  
ON CONSENT UNDER RULE 215(d), Pa.R.D.E.**

Petitioner, Office of Disciplinary Counsel, by Paul J. Killion, Chief Disciplinary Counsel, and Cory John Cirelli, Disciplinary Counsel, and Respondent, Patrick Stephen Healy, Esquire, and John E. Quinn, Esquire, Counsel for Respondent, file this Joint Petition In Support Of Discipline On Consent Under Rule 215(d), Pa.R.D.E. and respectfully represent as follows:

1. Petitioner, whose principal office is located at Pennsylvania Judicial Center, Suite 2700, 601 Commonwealth Avenue, P. O. Box 62485, Harrisburg, Pennsylvania 17106-2485, is invested, pursuant to Rule 207 of the Pennsylvania Rules of Disciplinary Enforcement (hereafter "Pa.R.D.E."), with the power and the duty to investigate all matters involving alleged misconduct of an attorney admitted to practice law in the Commonwealth of Pennsylvania and to prosecute all disciplinary proceedings brought in accordance with the various provisions of the aforesaid Rules.

2. Respondent, Patrick Stephen Healy, was born in 1957. He was admitted to the bar of the Courts of Commonwealth of Pennsylvania on November 20, 1989.

3. Respondent's attorney registration office address is Thomas Shannon Barry & Associates, 1103 East Carson Street, Pittsburgh, PA 15203.

4. Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

**SPECIFIC FACTUAL ADMISSIONS AND  
RULES OF PROFESSIONAL CONDUCT VIOLATED**

5. Respondent began his association with Cohen & Grigsby, P.C., in April 1997.

6. Respondent was a director and shareholder of the firm from January 2005 until April 2014.

7. While at Cohen & Grigsby Respondent represented municipalities, school districts, and other local authorities in connection with bond offerings and other financing.

8. The majority of Respondent's engagements were billed on a flat-fee basis, regardless of the number of hours of work performed for the client.

9. In addition to the flat fee, many clients were also charged a flat amount for expenses.

10. It was the firm's policy that each of its directors and shareholders receive an annual allowance for meals and other entertainment expenses.

11. Once that amount was exceeded, the responsibility for the remaining expense belonged to the shareholder, who was to pay the excess.

12. It was Respondent's practice to prepare and send a one-page invoice to clients at the close of the representation.

13. Fee and expense payments were wired by clients to Cohen & Grigsby's general accounts.

14. The firm generated and sent to Respondent a "bill memo" for his clients on a regular basis, and the fees and costs would be allocated according to the amount of time spent on a particular transaction.

15. The Cohen & Grigsby accounting department would leave the remaining funds or overages in a general account and track those amounts on an internal "net investment report" under the client's account number.

16. Respondent would then submit requests to the accounting department for reimbursement of expenses for items such as lunches, dinners, personal cell phone bills, and sporting event tickets.

17. Respondent made several misrepresentations to the firm to the effect that he had incurred legitimate, reimbursable business-related expenses.

18. Those items were, in fact, Respondent's personal expenses.

19. Cohen & Grigsby unwittingly paid Respondent's personal expenses based upon his misrepresentations to the firm.

20. By letter to ODC dated April 25, 2014, Respondent admitted to using improper expense vouchers to obtain payments from the Cohen & Grigsby firm for certain matters that were personal and unrelated to client expenses.

21. Cohen & Grigsby management confronted Respondent about the number of expense reimbursements that were improperly requested by him throughout a portion of his tenure with the firm.

22. By letter to Cohen & Grigsby, Respondent admitted to the firm's management that he was personally responsible for improperly charging a substantial amount of personal expenses to the firm for a number of years.

23. Respondent then resigned from the firm.

24. By letter to ODC dated July 30, 2014, Cohen & Grigsby reported that its initial, internal summary prepared by the firm's accounting department showed expense reimbursements totaling \$184,159.24 paid by the firm to Respondent for the period of 2009 through 2013, inclusive, pursuant to his improper requests.

(a) In 2009 checks made payable to Respondent for expenses he had submitted for payment totaled \$36,955.24, in addition to checks from the firm totaling \$4,448.44 that were made payable to AT&T Mobility for Respondent's benefit, less checks totaling \$2,074.85 paid to him for legitimate client-related



expenses. That left a total of \$39,328.83 in improperly submitted expense reimbursements the firm paid to Respondent.

(b) In 2010 checks made payable to Respondent for expenses he had submitted for payment by the firm totaled \$28,698.11, in addition to checks the firm made payable to AT&T Mobility for Respondent's benefit totaling \$4,679.55, less checks totaling \$3,179.86 paid to him for legitimate client-related expenses. That left a total of \$30,197.80 in improperly submitted expense reimbursements the firm paid to Respondent.

(c) In 2011 checks made payable to Respondent for expenses he had submitted for payment by the firm totaled \$37,924.70, in addition to checks the firm made payable to AT&T Mobility for Respondent's benefit totaling \$4,317.71, less checks totaling \$1,623.48 paid to him for legitimate client-related expenses. That left a total of \$40,618.93 in improperly submitted expense reimbursements the firm paid to Respondent.

(d) In 2012 checks made payable to Respondent for expenses he had submitted for payment by the firm totaled \$29,243.82, in addition to checks the firm made payable to AT&T Mobility for Respondent's benefit totaling \$4,639.14, less checks totaling \$448.44 paid to him for legitimate client-related expenses. That left a total of \$33,434.52 in improperly submitted expense reimbursements the firm paid to Respondent.

(e) In 2013 checks made payable to Respondent for expenses he had submitted for payment by the firm totaled \$39,236.20, in addition to checks the

firm made payable to AT&T Mobility for Respondent's benefit totaling \$4,158.77, less checks totaling \$2,815.81 paid to him for legitimate client-related expenses. That left a total of \$40,579.16 in improperly submitted expense reimbursements the firm paid to Respondent.

(f) From 2009 through 2013 the total dollar amount of improper expense reimbursements Respondent submitted to the firm, and which the firm reimbursed to Respondent, was \$184,159.24.

25. The firm also commissioned an audit conducted by a CPA, Thomas Gaitens, PC. The results were reported to counsel for Cohen & Grigsby by letter dated August 11, 2014.

26. Mr. Gaitens's report covered Respondent's expenses charged to various client matters from only 2010 through 2013.

27. The CPA audit concluded the total loss to the firm during the 2010 - 2013 period was \$168,138.91.

28. The difference between the totals of Cohen & Grigsby's internal audit and the CPA's audit is attributable to the expense reimbursement requests Respondent submitted during all of 2009, which had not been included by Mr. Gaitens.

29. By Respondent's conduct as alleged in paragraphs 5 through 28, Respondent violated Rules of Professional Conduct 8.4(b) and 8.4(c) as follows:

(a) Respondent committed criminal acts that reflect adversely on his honesty, trustworthiness, or fitness as a lawyer when he submitted false claims

to his employer for work-related expense reimbursements that were personal expenses not incurred on behalf of the law firm, in violation of Rule of Professional Conduct 8.4(b).

(b) Respondent engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation when he submitted false claims to his employer for work-related expense reimbursements that were personal expenses not incurred on behalf of the law firm, in violation of Rule of Professional Conduct 8.4(c).

In support of Petitioner's and Respondent's joint recommendation, it is submitted that the following mitigating circumstances are present:

30. Respondent has no record of prior discipline.

31. By letter to Respondent's counsel dated May 7, 2014, Joseph G. Petrosinelli of Williams & Connolly, LLP, set forth the following conditions, to which Respondent agreed, for payment of restitution to Cohen & Grigsby for personal expenses that he had improperly charged to the firm:

(a) Respondent would forfeit to Cohen & Grigsby the balance of \$50,000 in his firm capital account.

(b) The \$16,564.32 that Respondent was owed through the Cohen & Grigsby 2013 director compensation plan would be forfeited to Cohen & Grigsby.

(c) Respondent would sell, assign, and transfer to Cohen & Grigsby his 500 shares of capital stock in the firm, and appoint Jeffrey D. Peters, Corporate

Secretary of Cohen & Grigsby, to transfer the stock on the books of the corporation with full power of substitution.

(d) Respondent would irrevocably waive and release the firm from any claims of any kind that he might have to the assets in question.

(e) Because Respondent owes Cohen & Grigsby more than the documented amounts, the firm reserved the right to seek further restitution from him.

32. Respondent reimbursed Cohen & Grigsby for the expense of the Gaitens audit.

33. Respondent reimbursed the firm's liability carrier in the amount of \$167,000 from his personal funds.

34. Respondent offers psychiatric evidence that he believes will satisfy the standard set forth in *Office of Disciplinary Counsel v. Braun*.

35. A psychiatric evaluation was performed by Dr. Lawson F. Bernstein, M.D., on May 14, 2014:

(a) Respondent told Dr. Bernstein that for the past number of years he regularly received Vicodin ES from a nurse-practitioner in New Jersey, who examined Respondent every three months and then refilled the prescriptions for him after "phone consults."

(b) Respondent told Dr. Bernstein that he initially had a legitimate diagnosis of migraine, but Respondent had become "hooked" and took up to 150 tablets per month (approximately five per day), and mixed the Vicodin with alcohol.

(c) Respondent claimed he had attempted to stop his use of opioids, but the withdrawal symptoms were intolerable.

(d) Respondent reported to Dr. Bernstein that he first began to use alcohol at age 16, experienced blackouts in the past but none recently; he stated in the past that upon stopping he had some mild withdrawal symptoms, such as shaking and nausea, but denied grand-mal seizure or delirium tremens.

(e) Respondent informed Dr. Bernstein that he is a regular drinker of "three quarters of a quart of vodka on a daily basis."

(f) Respondent denied any excessive absenteeism or decrement in the quality of his legal work prior to his resignation from the Cohen & Grigsby firm; he was at the time of the May 14 evaluation doing legal work "for a few clients" and stated that due to his difficult financial position he was reluctant to enter drug and alcohol treatment.

(g) Respondent reported a medical history that includes his father's alcohol abuse and alcohol-related liver disease, and Respondent's belief that his brother is an alcoholic; Respondent's previous psychiatric treatment history consists of a single episode of marital counseling during his first marriage, in

which his drinking was raised as an issue; Respondent stated that he had attended "a few" Alcoholics Anonymous meetings, but has not otherwise participated in any drug or alcohol treatment; Respondent had no history of psychiatric hospitalization and never attempted suicide.

(h) On May 14, 2014, Respondent informed Dr. Bernstein that he called Gateway Rehabilitation Facility on the previous day to inquire about admission for detoxification, which he was actively considering during the May 14 evaluation.

(i) Dr. Bernstein stated that although he informed Respondent at the time of May 14 evaluation that he would not be providing him with feedback because he was performing the evaluation as an independent, non-treating expert:

I felt compelled from an ethical standpoint to engage in extended conversation with him regarding the immediate need for inpatient detoxification from alcohol and opioids. I informed the individual that he was at higher risk for withdrawal phenomena from alcohol including withdrawal seizures and/or delirium tremens. Further, I informed him that he was [at] high risk of opioid withdrawal including a flu-like syndrome. The individual stated to me that he was strongly considering entering Gateway Rehabilitation Center tomorrow for detoxification. I urged him to pursue such inpatient hospitalization today, but he was unwilling to do that because he had to "pick up my wife at 5 o'clock" from work. Of note, the individual did not appear to be intoxicated or in withdrawal to the extent that I thought he would be unsafe to drive a motor vehicle. As of the date of my exam, he did not meet criteria for involuntary psychiatric hospitalization.

(j) Dr. Bernstein reported he did not doubt that Respondent's violations of the Rules of Professional Conduct were "substantially informed by his alcohol and substance use disorders [,]" but he wanted to "defer further evaluation of this until such time as the individual has been detoxified from the substances and has entered an active treatment program for same."

(k) Dr. Bernstein believed that "the presence of a mood disorder/depressed type from various etiologies would also inform [Respondent]'s" misconduct.

(l) Dr. Bernstein diagnosed Respondent with opioid use disorder – moderate severity – untreated at this time; alcohol use disorder – moderate severity—untreated at this time; mood disorder due to polysubstance abuse, rule out mood disorder due to cofactor deficiency from alcohol abuse, rule out autonomous major depressive disorder without psychotic features, rule out bipolar 2 disorder – moderate severity – untreated at this time.

36. A follow-up evaluation was performed by Dr. Bernstein on June 9, 2014:

(a) Dr. Bernstein reported that Respondent underwent detoxification from alcohol and opioids at the Gateway Aliquippa inpatient facility, and he was awaiting outpatient placement with that entity.

(b) In the interim, Respondent contacted Lawyers Concerned for Lawyers and he began attending one AA meeting per day and obtained a sponsor for that program.

(c) Respondent was prescribed Tramadol and Clonidine as an opioid detoxification protocol.

(d) Respondent reported to Dr. Bernstein on June 9 that he continued to experience depressive symptoms including "helplessness, hopelessness, tearfulness, low energy, depressed mood, but notably does not endorse suicidal ideation, intent, or plan."

(e) Respondent denied any Vicodin or alcohol usage at the time of the June 9 evaluation.

(f) Respondent provided a release for Dr. Bernstein to obtain his Gateway medical records.

(g) Dr. Bernstein referred Respondent to Dr. Larry Sellitto, Ph.D., who administers "The Professionals Education Network, for establishing a urine monitoring program and possible group therapy treatment with other impaired professionals."

(h) Dr. Bernstein recommended that Respondent pursue daily attendance at AA meetings, attendance at Aliquippa Intensive Outpatient Program, engagement with Dr. Sellitto regarding random urine toxicology monitoring and possible group therapy, and any follow-up with Dr. Bernstein within two to three months to review his mood symptomology and whether he should consider seeking treatment with an appropriate addiction psychiatrist.



37. Respondent entered Gateway Rehabilitation Intensive Outpatient Program, which he successfully completed.

38. Respondent adhered to the recommended follow-up protocol and attended outpatient psychotherapy with Dr. Larry Sellito, Ph.D, a psychologist and Program Director with the Professionals Education Network.

39. Respondent has abstained from all psychoactive substances since May 2014 and is randomly screened for compliance.

40. In August 2016 Dr. Sellito authored a follow-up report which he provided to Respondent's counsel, and which was then submitted to ODC:

(a) Dr. Sellito stated "I completely concur that the transgressions which led to [Respondent]'s resignation and the reporting of his [misconduct] were a direct result of the use of psychoactive substances on his part at that particular period of time."

(b) "His chemical impairment 'clouded' his judgment, thus lending itself to those behaviors."

(c) "Now in solid recovery [Respondent] is fully capable of working not only for clients that are referred to him but also any legal firm in a professional manner, upholding all of the standards of a legal practice."

(d) "The goal for [Respondent] is to continue to move forward with his life and profession as a form of his recovery lifestyle."

(e) "It is my belief that the experiences of the past two years will certainly make [Respondent] an asset to any firm/client he comes in contact with."

**SPECIFIC JOINT RECOMMENDATION FOR DISCIPLINE**

Petitioner and Respondent jointly recommend that the appropriate discipline for Respondent's admitted misconduct is a four-year suspension, stayed in its entirety, with probation for the duration of the stayed suspension.

The probationary conditions require Respondent to continue mental health treatment, with regular reports from his treating professional submitted to the Disciplinary Board every quarter for the first two years and semi-annually for the next two years. The reports shall remain confidential. This sanction recognizes the very serious nature of the conduct while affording Respondent mitigation for his serious disorders. The strict probation requirements during the four-year time frame ensure that the Board will be notified if Respondent falters in his recovery.

In *Office of Disciplinary Counsel v. Paul Joseph DeRenzo*, 89 DB 1997, 44 D. & C.4<sup>th</sup> 265 (1999), the disciplinary proceedings involved both a hearing into the factual allegations of a Petition for Discipline and the eventual disposition of the criminal charges against him. DeRenzo entered a plea of guilty to charges of theft by unlawful taking or disposition, theft by deception, and theft by failure to make required disposition of funds received, for which he was sentenced to a total period of incarceration of two to four years with a recommendation for alternative housing and a five-year period of

probation, as well as being ordered to pay restitution in the amounts of \$368,571 to his former law firm's malpractice carrier and \$39,000 to the law firm. He was ordered to comply with psychological treatment consisting of quarterly examinations over the five-year period of probation, and permission to serve his work-release time as a law clerk in the Office of the Public Defender of Allegheny County. DeRenzo admitted to his law partner that he had issued checks from the firm's trust account, without authorization, in the amount of \$388,100 and reimbursed only \$32,000. He had also withdrawn \$39,000 from the firm's operating account without authorization. As to the original petition for discipline, Respondent was found to have commingled client or third-person funds with his own, failed to promptly deliver to those persons property they were entitled to receive, committed a criminal act that reflects adversely on a lawyer's honesty, trustworthiness, or fitness, and he engaged in conduct involving dishonesty, fraud, deceit or misrepresentation. DeRenzo's criminal convictions were consolidated with the original disciplinary charges for consideration of discipline pursuant to Rule 214(f)(1) of the Pennsylvania Rules of Disciplinary Enforcement. Pursuant to *Office of Disciplinary Counsel v. Braun*, DeRenzo offered expert testimony to the effect that his compulsive gambling disorder caused his illegal conduct. When he had exhausted his personal funds to satisfy his gambling compulsion he stole the firm's operating funds and the funds of clients. DeRenzo recommended a suspension of one year, ODC recommended disbarment, and the hearing committee recommended a two-year suspension. The Board concluded:

[DeRenzo]'s conduct is so egregious that the expert testimony and other mitigating factors [including remorse, character testimony, cooperation, no prior discipline, continued psychological treatment,

and partial restitution] cannot reduce the discipline below a five-year suspension.

The Supreme Court suspended DeRenzo for a period of five years, retroactive to his placement on temporary suspension.

The distinctions between the cited case and the case at bar include the significantly higher amount of money involved in *DeRenzo*, his failure to make substantial restitution to the malpractice carrier that agreed to cover the law firm's liability for DeRenzo's defalcation, and a relatively large percentage of the funds DeRenzo stole was the property of clients, rather than the property of the law firm. In addition, DeRenzo's conviction for theft visited a greater degree of disrepute upon the legal profession than will the uncharged conduct of Respondent herein.

In *Office of Disciplinary Counsel v. Mizner*, 46 DB 2007, (2008), the Disciplinary Board, after hearing, recommended a stayed suspension of five years. After eighteen years as a member of the bar with an otherwise good reputation, Mizner was found to have engaged in misappropriation of law firm funds through his acts of submitting false claims for reimbursement for travel expenses over a period of six or seven months. Mizner's misappropriation totaled \$70,000. He admitted his misconduct and cooperated with Petitioner's investigation. At his disciplinary hearing, Mizner presented expert testimony that he suffered from an obsessive compulsive disorder which substantially caused his misconduct. Both the hearing committee and the Board credited Mizner's expert testimony as sufficient to warrant consideration as mitigation of his misconduct pursuant to *Braun*. The Supreme Court agreed.

Although Respondent misappropriated a larger sum of money from his law firm than did Mizner in the cited case, Mizner exercised his right to a hearing. Respondent in the case at bar has chosen to forego litigating the matter in a disciplinary hearing. Both lawyers reimbursed their respective firms for the direct losses, but Respondent herein also reimbursed the firm for the cost of the independent CPA audit. Respondent has offered significant evidence that warrants consideration pursuant to *Office of Disciplinary Counsel v. Braun*.

Respondent is represented by counsel in this matter, who also served as Mizner's counsel in the cited case. Respondent is 59 years old and was admitted to the Bar of this Commonwealth in 1989. He has admitted that he was not entitled to the reimbursements of expenses that he submitted to the law firm. It appears that no client funds were misappropriated by Respondent. He has no disciplinary history. He cooperated with ODC's investigation, and he is agreeable to a negotiated resolution. Respondent is continuing with prescribed treatment designed to lead to a favorable prognosis. Based upon the facts of this case and a review of the relevant case law, particularly the similarities and contrasts with the *Mizner* case, a stayed suspension of four years, with an attendant four-year period of probation and appropriate conditions, will be a proper disposition.

Respondent hereby consents to the discipline being imposed upon him. Attached to this Petition is Respondent's executed Affidavit required by Rule 215(d), Pa.R.D.E., stating that he consents to the recommended discipline and includes the mandatory acknowledgements contained in Rule 215(d)(1) – (4), Pa.R.D.E.

WHEREFORE, Petitioner and Respondent respectfully request that, pursuant to Rule 215(e) and 215(g), Pa.R.D.E., the three-member panel of the Disciplinary Board review and approve the above Joint Petition In Support Of Discipline On Consent for the imposition of a suspension from the Bar of the Commonwealth of Pennsylvania for a period of four years, stayed in its entirety, with a concurrent four-year period of probation, subject to the following conditions:

1. Respondent shall continue treatment for mental health purposes with Larry Sellitto, Ph.D., or another qualified therapist, who is to direct and supervise Respondent's activities therein.

2. Respondent shall cooperate with directions of the therapist supervising his treatment, take medications as prescribed, engage in therapy and counselling sessions as directed, and undergo prescribed random urine toxicology monitoring.

3. Respondent shall cause the therapist supervising his treatment to make written reports directed to the Secretary of the Board on a quarterly basis for the first two years of the probation and on a semi-annual basis for the balance of the probation.

4. The written reports shall include the identity and dosage of medications being currently prescribed, the nature and frequency of therapy sessions engaged in since any prior report, the identity of the health services agency or agent providing the same, and an assessment of Respondent's mental condition at that time in regard to his mental fitness to engage in the practice of law.

5. Respondent shall immediately authorize and redirect Dr. Sellito and any substitute or successor supervising therapist, to immediately furnish a written report of facts and circumstances to the Secretary of the Board at any time when, in the estimation of the supervising therapist, Respondent's behavior or material failure to conduct himself in cooperation with any aspect of his prescribed treatment regimen indicates that he is, or may be, in jeopardy of shortly becoming mentally unfit to engage in the practice of law.

6. If, for any reason, Respondent severs his present relationship with Dr. Sellito, he shall immediately make written report to the Secretary of the Board of that fact and the circumstances causing the same, together with the identification and location of another physician qualified as a therapist who has been fully informed of the terms of this probation and has agreed to serve as a successor supervising therapist in accordance with the same.

7. Respondent shall furnish, at any time it may reasonably be requested, his written authorization for any health care agency or agent to furnish to the Secretary of the Board complete records of and information as to any mental health or underlying medical care services which may have been provided to him.

8. At the conclusion of the prescribed period of probation, Respondent shall apply for termination of probation in accordance with §89.294 of the Disciplinary Board Rules.

It is further ORDERED that Respondent shall pay costs to the Disciplinary Board pursuant to Rule 208(g), Pa.R.D.E.


Respectfully submitted,

OFFICE OF DISCIPLINARY COUNSEL

PAUL J. KILLION  
CHIEF DISCIPLINARY COUNSEL

By   
Cory John Cirelli  
Disciplinary Counsel

and

By   
Patrick Stephen Healy, Esquire  
Respondent

and

By   
John E. Quinn, Esquire  
Counsel for Respondent





**BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL, :

Petitioner : No. DB 2017  
                  : (Complaint File No. C4-14-360)

v.

PATRICK STEPHEN HEALY,

                  : Attorney Registration No. 56257  
Respondent : (Allegheny County)

**AFFIDAVIT UNDER RULE 215(d), Pa.R.D.E.**

Respondent, Patrick Stephen Healy, hereby states that he consents to a four-year suspension from the Bar of the Commonwealth of Pennsylvania, stayed in its entirety, with a concurrent four-year period of probation, subject to the conditions set forth above, as jointly recommended by Petitioner, Office of Disciplinary Counsel, and Respondent, in the Joint Petition In Support Of Discipline On Consent and further states that:

1. His consent is freely and voluntarily rendered; he is not being subjected to coercion or duress; and he is fully aware of the implications of submitting the consent; and, he has consulted with counsel in connection with the decision to consent to the imposition of discipline;

2. He is aware that there is a pending proceeding involving allegations that he has been guilty of misconduct as set forth in the Joint Petition;

3. He acknowledges that the material facts set forth in the Joint Petition are true;  
and,
4. He consents because he knows that if the matter pending against him is prosecuted, he could not successfully defend against the charges.

  
Patrick Stephen Healy  
Respondent

Sworn to and subscribed  
before me this 27<sup>TH</sup>  
day of APRIL, 2017.

  
Notary Public

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
Lois A. Firanski, Notary Public  
Moon Twp., Allegheny County  
My Commission Expires Feb. 12, 2018  
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES