

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

SARAH ROSE MACHOWICZ, M.D.
License No. 43-01-503084,
Respondent.

File No. 43-23-004455

ORDER OF SUMMARY SUSPENSION

The Department filed an Administrative Complaint against Respondent, as provided by the Public Health Code, MCL 333.1101 *et seq*; the rules promulgated under the Code; and the Administrative Procedures Act, MCL 24.201 *et seq*.

After careful consideration, and after consultation with the Chairperson of the Board of Medicine, pursuant to MCL 333.16233(5), the Department finds that the public health, safety, or welfare requires emergency action.

Therefore, IT IS ORDERED that Respondent's license to practice medicine in the state of Michigan is SUMMARILY SUSPENDED, commencing the date this Order is served.

MCL 333.7311(6) provides that a controlled substance license is automatically void if a licensee's license to practice is suspended or revoked under Article 15 of the Code.

Under Mich Admin Code, R 792.10702, Respondent may petition for the dissolution of the Order by filing a document clearly titled **Petition for Dissolution of Summary Suspension** with the Department by email to LARA-BPL-RegulationSection@michigan.gov. If Respondent is unable to submit a response via email, Respondent may submit a response by regular mail as indicated in the enclosed cover letter to the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, P.O. Box 30670, Lansing, MI 48909.

MICHIGAN DEPARTMENT OF
LICENSING AND REGULATORY AFFAIRS

Dated: 11/27/2023


By: Amy Gumbrecht, Director
Bureau of Professional Licensing

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ADMINISTRATIVE COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs, by Amy Gumbrecht, Director, Bureau of Professional Licensing, complains against Respondent as follows:

1. The Michigan Board of Medicine is an administrative agency established by the Public Health Code, MCL 333.1101 *et seq.* Pursuant to MCL 333.16226, the Board's Disciplinary Subcommittee is empowered to discipline persons for violations of the Public Health Code.

2. Respondent is currently licensed to practice medicine in the state of Michigan and holds a controlled substance license.

3. Pursuant to MCL 333.16233(5):

After consultation with the chair of the appropriate board or task force or his or her designee, the department may summarily suspend a license or registration if the public health, safety, or welfare requires emergency action in accordance with section 92 of the administrative procedures act of 1969, MCL 24.292.

4. MCL 333.16106a(c) defines substance abuse as a “substance use disorder as defined in section 100d of the mental health code, 1974 PA 258, MCL 330.1100d.”

5. MCL 330.1100d(12) defines substance use disorder as a “chronic disorder in which repeated use of alcohol, drugs, or both, results in significant and adverse consequences. Substance use disorder includes substance abuse.”

6. MCL 330.1100d(11) defines substance abuse as:

. . . the taking of alcohol or other drugs at dosages that place an individual’s social, economic, psychological, and physical welfare in potential hazard or to the extent that an individual loses the power of self-control as a result of the use of alcohol or drugs, or while habitually under the influence of alcohol or drugs, endangers public health, morals, safety, or welfare, or a combination thereof.

7. In August and September of 2023, Respondent underwent inpatient treatment related to Respondent’s alcohol use and symptoms associated with alcohol withdrawal.

8. On October 4, 2023, Respondent entered into a partial hospitalization program (PHP), underwent an assessment, and was diagnosed, in part, with “Alcohol use disorder, Severe, in Early Partial Remission.” Respondent also self-reported to the Health Professional Recovery Program (HPRP) and was subsequently deemed a high risk after completing an HPRP intake interview.

9. On October 12, 2023, Respondent entered into an interim monitoring agreement with HPRP in order to participate in HPRP while completing PHP treatment. The terms of the interim monitoring agreement required, in part, that Respondent submit to drug screens, by calling the HPRP designated laboratory (RecoveryTrek) and submitting a specimen in the manner requested when instructed, and abstain from any mood-altering substances, including alcohol and controlled substances.

10. On October 23, 2023, Respondent was successfully discharged from PHP treatment. Subsequently, on October 26, 2023, Respondent was offered a three-year, co-occurring monitoring agreement with HPRP and was provided a deadline of November 13, 2023, to sign and return the monitoring agreement.

11. Beginning on October 31, 2023, Respondent ceased contacting RecoveryTrek to determine when to submit to drug screens and ceased submitting to required drug screens, in violation of the interim monitoring agreement. Respondent also ceased contact with HPRP around this time.

12. On November 14, 2023, based on Respondent's violations of the interim monitoring agreement and Respondent's failure to sign and return the monitoring agreement by the given deadline, HPRP closed Respondent's case as non-compliant and subsequently forwarded the matter to the Department.

COUNT I

Respondent's conduct, as set forth above, evidences a conduct, practice, or condition that impairs, or may impair, the ability to safely and skillfully practice the health profession, in violation of MCL 333.16221(a).

COUNT II

Respondent's conduct, as set forth above, evidences a substance use disorder, in violation of MCL 333.16221(b)(ii).

COUNT III

Respondent's conduct, as set forth above, evidences a mental or physical inability reasonably related to and adversely affecting Respondent's ability to practice in a safe and competent manner, in violation of MCL 333.16221(b)(iii).

RESPONDENT IS NOTIFIED that, after consultation with the chairperson of the Board, or the chairperson's designee, and pursuant to MCL 333.16233(5), the Department states that the public health, safety, or welfare requires emergency action, and, accordingly, Respondent's license to practice medicine in the state of Michigan is summarily suspended, pending a hearing and final determination of this matter.

RESPONDENT IS FURTHER NOTIFIED that, pursuant to MCL 333.16231(8), Respondent has 30 days from the date of receipt of this Complaint to submit a written response to the allegations contained in it. Pursuant to MCL 333.16192(2), Respondent is deemed to be in receipt of the complaint three (3) days after the date of mailing listed in the attached proof of service. The written response shall be submitted by email to the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing to LARA-BPL-RegulationSection@michigan.gov. If unable to submit a response by email, Respondent may submit by regular mail to the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, P.O. Box 30670, Lansing, MI 48909.

Respondent's failure to submit an answer within 30 days is an admission of the allegations in this Complaint. If Respondent fails to answer, the Department shall transmit this Complaint directly to the Board's Disciplinary Subcommittee to impose a sanction, pursuant to MCL 333.16231(9).

Dated: 11/27/2023



Amy Gumbrecht, Director
Bureau of Professional Licensing

SGE/rjr/iyv