

IN THE MATTER OF	*	BEFORE THE
HAROLDO DRACHENBERG, M.D.	*	MARYLAND STATE
Respondent	*	BOARD OF PHYSICIANS
License Number: D45026	*	Case Number: 7722-0064
* * * * *	*	* * * * *

ORDER TERMINATING SUSPENSION AND IMPOSING PROBATION

On February 10, 2022, Disciplinary Panel A (the “Panel”) of the Maryland State Board of Physicians (the “Board”) and Haroldo Drachenberg, M.D., entered into a Consent Order that determined, as a matter of law, that Dr. Drachenberg was guilty of immoral and unprofessional conduct in the practice of medicine and that he violated the Board’s sexual misconduct regulations. The Consent Order reprimanded Dr. Drachenberg and suspended his medical license for a minimum period of ten (10) business days. The Consent Order also stated that, upon termination of the suspension, Dr. Drachenberg shall be placed on probation for a minimum period of two (2) years with certain terms and conditions. Ten (10) business days have passed since the execution of the Consent Order; it is thus hereby

ORDERED that the suspension imposed by the February 10, 2022 Consent Order is **TERMINATED**; and it is further

ORDERED that the reprimand remains in effect; and it is further

ORDERED that Dr. Drachenberg is placed on **PROBATION** for a minimum period of **TWO (2) YEARS**.¹ During probation, Dr. Drachenberg shall comply with the following terms and conditions of probation:

¹ If Dr. Drachenberg’s license expires during the period of probation, the probation and any conditions will be tolled.

1. Dr. Drachenberg shall enroll in the Maryland Professional Rehabilitation Program (“MPRP”) as follows:
 - a. Within 5 business days of the effective date of this Order, Dr. Drachenberg shall contact MPRP to schedule an initial consultation for enrollment;
 - b. Within 15 business days of the effective date of this Order, Dr. Drachenberg shall enter into a Participant Rehabilitation Agreement and Participant Rehabilitation Plan with MPRP;
 - c. Dr. Drachenberg shall fully and timely cooperate and comply with all MPRP’s referrals, rules, and requirements, including, but not limited to, the terms and conditions of the Participant Rehabilitation Agreement(s) and Participant Rehabilitation Plan(s) entered with MPRP, and shall fully participate and comply with all therapy, treatment, evaluations, and screenings as directed by MPRP;
 - d. Dr. Drachenberg shall sign and update the written release/consent forms requested by the Board and MPRP, including release/consent forms to authorize MPRP to make verbal and written disclosures to the Board and to authorize the Board to disclose relevant information from MPRP records and files in a public order. Dr. Drachenberg shall not withdraw his release/consent;
 - e. Dr. Drachenberg shall also sign any written release/consent forms to authorize MPRP to exchange with (i.e., disclose to and receive from) outside entities (including all of Dr. Drachenberg’s current therapists and treatment

providers) verbal and written information concerning Dr. Drachenberg and to ensure that MPRP is authorized to receive the medical records of Dr. Drachenberg, including, but not limited to, mental health and drug or alcohol evaluation and treatment records. Dr. Drachenberg shall not withdraw his release/consent;

f. Dr. Drachenberg's failure to comply with any of the above terms or conditions including terms or conditions of the Participant Rehabilitation Agreement(s) or Participant Rehabilitation Plan(s) constitutes a violation of this Order;

2. Within **SIX (6) MONTHS** of the effective date of this Order, Dr. Drachenberg is required to take and successfully complete a course in Professional Boundaries and Ethics. The following terms apply:

- a. it is Dr. Drachenberg's responsibility to locate, enroll in and obtain the disciplinary panel's approval of the course before the course is begun;
- b. the disciplinary panel will accept a course taken in-person or over the internet during the state of emergency;
- c. Dr. Drachenberg must provide documentation to the disciplinary panel that Dr. Drachenberg has successfully completed the course;
- d. the course may not be used to fulfill the continuing medical education credits required for license renewal;
- e. Dr. Drachenberg is responsible for the cost of the course.

3. Within **TWO (2) YEARS** of the effective date of this Order Terminating Suspension and Imposing Probation, Dr. Drachenberg shall pay a civil fine of **FIFTEEN THOUSAND DOLLARS (\$15,000.00)**. The Payment shall be by money order or bank certified check made payable to the Maryland Board of Physicians and mailed to P.O. Box 37217, Baltimore, Maryland 21297. The Board will not renew or reinstate Dr. Drachenberg's license if Dr. Drachenberg fails to timely pay the fine to the Board; and it is further

ORDERED that Dr. Drachenberg shall not apply for early termination of probation; and it is further

ORDERED that, after Dr. Drachenberg has complied with all terms and conditions of probation and the minimum period of probation imposed by this Order has passed, Dr. Drachenberg may submit to the Board a written petition for termination of probation. After consideration of the petition, the probation may be terminated through an order of the disciplinary panel. Dr. Drachenberg may be required to appear before the disciplinary panel to discuss his petition for termination. The disciplinary panel may grant the petition to terminate the probation, through an order of the disciplinary panel, if Dr. Drachenberg has complied with all probationary terms and conditions and there are no pending complaints relating to the charges; and it is further

ORDERED that a violation of probation constitutes a violation of this Order; and it is further

ORDERED that Dr. Drachenberg is responsible for all costs incurred in fulfilling the terms and conditions of this Order; and it is further

ORDERED that, if Dr. Drachenberg allegedly fails to comply with any term or condition imposed by this Order, Dr. Drachenberg shall be given notice and an opportunity for a hearing. If the disciplinary panel determines there is a genuine dispute as to a material fact, the hearing shall be before an Administrative Law Judge of the Office of Administrative Hearings followed by an exceptions process before a disciplinary panel; and if the disciplinary panel determines there is no genuine dispute as to a material fact, Dr. Drachenberg shall be given a show cause hearing before a disciplinary panel; and it is further

ORDERED that after the appropriate hearing, if the disciplinary panel determines that Dr. Drachenberg has failed to comply with any term or condition imposed by this Order, the disciplinary panel may reprimand Dr. Drachenberg, place Dr. Drachenberg on probation with appropriate terms and conditions, suspend Dr. Drachenberg's license with appropriate terms and conditions, or revoke Dr. Drachenberg's license to practice medicine in Maryland. The disciplinary panel may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine on Dr. Drachenberg; and it is further

ORDERED that the effective date of the Order is the date the Order is signed by the Executive Director of the Board or her designee. The Executive Director or her designee signs the Order on behalf of the disciplinary panel which has imposed the terms and conditions of this Order; and it is further

ORDERED that this Order is a public document. See Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6) (2014 & 2019 Supp.).

02/25/2022
Date

Signature on File

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians