

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

In the Matter of

LAURA DAVIDOW HIRSHBEIN, M.D.
License Number: 43-01-070229

File Number: 43-16-142577

ADMINISTRATIVE COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs (Department) by Kim Gaedeke, Director, Bureau of Professional Licensing, files this Complaint against Laura Davidow Hirshbein, M.D., (Respondent) as follows:

1. The Michigan Board of Medicine (Board) is an administrative agency established by the Public Health Code; MCL 333.1101 et seq. Pursuant to section 16226 of the Public Health Code, the Board's Disciplinary Subcommittee is empowered to discipline licensees for violations of the Public Health Code.

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

3. "Good moral character" is defined at Section 1 of 1974 PA 381, as amended; MCL 338.41, as "the propensity on the part of the person to serve the public in the licensed area in a fair, honest, and open manner."

4. At all relevant times, Respondent was employed with the University of Michigan Hospitals and Health Centers (facility) as a research physician in the psychiatry department.

5. On September 25, 2015, Respondent accessed and reviewed multiple confidential patient records of patient P.S. (initials are used to protect the patient's identity) who died unexpectedly on September 23, 2015. Respondent did not have a treating relationship with patient P.S.

6. On November 28, 2016, during an interview with Department's investigator, Respondent admitted the conduct described above and stated that "she created some bad work habits of reviewing [the] charts [of patients] that she did not [provide] direct medical care."

COUNT I

Respondent's conduct, as set forth above, evidences a violation of general duty, consisting of negligence or failure to exercise due care, whether or not injury results, in violation of section 16221(a) of the Public Health Code.

COUNT II

Respondent's conduct, as set forth above, evidences departure from, or failure to conform to, minimal standards of acceptable and prevailing practice for the health profession, whether or not actual injury to an individual occurs, in violation of section 16221(b)(i) of the Public Health Code.

COUNT III

Respondent's conduct, as set forth above, evidences a lack of good moral character, in violation of section 16221(b)(vi) of the Public Health Code.

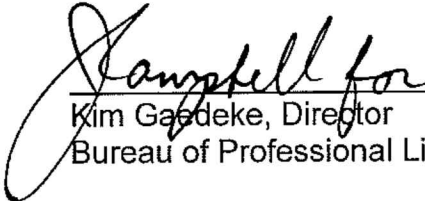
Department requests that this Complaint be served upon Respondent and that Respondent be offered an opportunity to show compliance with all lawful requirements for retention of the license. If compliance is not shown, Department further requests that formal proceedings be commenced pursuant to the Public Health Code, rules promulgated thereunder, and the Administrative Procedures Act, MCL 24.201 et seq.

Pursuant to section 16231(8) of the Public Health Code, Respondent has 30 days from the date of receipt of this Complaint to submit a written response to the allegations contained herein. The written response shall be submitted to Kim Gaedeke, Director, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, P.O. Box 30670, Lansing, MI 48909.

Pursuant to section 16231(9) of the Public Health Code, Respondent's failure to submit a written response within 30 days, as noted above, shall be treated as an admission of the allegations contained herein and shall result in transmittal of this Complaint directly to the Board's Disciplinary Subcommittee for imposition of an appropriate sanction.

Dated: 1/30/17

MFW



Kim Gaedeke, Director
Bureau of Professional Licensing