

STATE OF MARYLAND



DHMH Board of Physicians

Maryland Department of Health and Mental Hygiene

4201 Patterson Avenue • Baltimore, Maryland 21215-2299

Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – Joshua M. Sharfstein, M.D., Secretary

December 28, 2012

David M. Heydt, M.D.
1004 Howard Grove Court
Davidsonville, Maryland 21035

Sarah Marquardt, Esq.
Whiteford, Taylor & Preston
Seven Saint Paul Street
Baltimore, Maryland 212021636

Tracee Fruman, Assistant Attorney General
Office of the Attorney General
Department of Health and Mental Hygiene
300 West Preston Street, Suite 302
Baltimore, Maryland 21201

Re: David M. Heydt, M.D.
Case No.: 2011-0292
License No.: D71698

Dear Dr. Heydt and Counsel:

On December 5, 2012, the Board issued an **ORDER FOR SUMMARY SUSPENSION OF LICENSE TO PRACTICE MEDICINE** in this case. Dr. Heydt was given an opportunity to attend a hearing to show cause why that suspension should not be continued on December 19, 2012. Dr. Heydt attended the hearing on that date together with his counsel, Sarah Marquardt, Esq. The State was represented by Tracee Fruman, Assistant Attorney General, Administrative Prosecutor. Both parties presented extensive oral arguments at the show cause hearing.

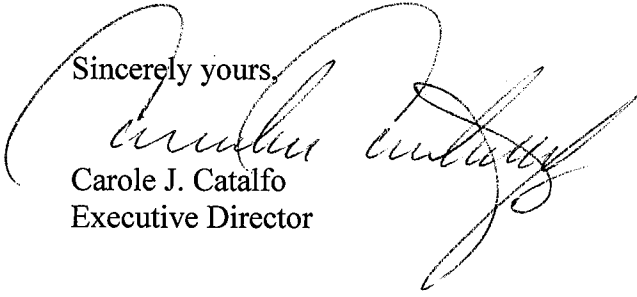
After considering these arguments at the hearing and the investigative file, the Board determined that it would continue the summary suspension imposed on December 5, 2012. The Board thus will not lift the summary suspension order. The arguments submitted, together with Dr. Heydt's presentation and responses to the Board's questions, when considered in the light of the investigative findings in the file, persuade the Board there exists a substantial risk of serious harm to the public health, safety or welfare in Dr. Heydt's continued practice. The Board, through its counsel, advised Dr. Heydt of this decision orally on the hearing date.

NOTICE OF RIGHT TO APPEAL

Under the Board regulations, Dr. Heydt has the right to request a full evidentiary hearing before an Administrative Law Judge. This request will be granted if the Board receives a written request for the hearing within ten days of the date of this letter. Any request for a hearing should be sent to Christine Farrelly, Deputy Director, Licensure and Compliance, at the Board's address. If you request such a hearing, the regulations require that an Administrative Law Judge set the hearing to begin within 30 days of your request, *see* COMAR 10.32.02.05 I, though you may waive that 30-day requirement.

This letter constitutes an order of the Board resulting from formal disciplinary action and is therefore a public document.

Sincerely yours,


Carole J. Catalfo
Executive Director

CJC/nr/ms