

STATE OF NEW YORK DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER

OF

**HOWARD D. MARKOWITZ, M.D.
CO-02-11-5843-A**

**COMMISSIONER'S
SUMMARY
ORDER**

TO: HOWARD D. MARKOWITZ, M.D.
 1101 Beaumont Center Lane
 Unit 302
 Lexington, KY 40513

The undersigned, Antonia C. Novello, M.D., M.P.H., Dr. P.H., Commissioner of Health, pursuant to N.Y. Public Health Law §230, upon the recommendation of a committee on Professional Medical Conduct of the State Board for Professional Medical Conduct, has determined that the duly authorized professional disciplinary agency of another jurisdiction, the Kentucky Board of Medical Licensure (hereinafter "Kentucky Board") has made a finding substantially equivalent to a finding that the practice of medicine by **HOWARD D. MARKOWITZ, M.D.**, Respondent, licensed to practice medicine in New York state on May 12, 1992, by license number 188933, in that jurisdiction constitutes an imminent danger to the health, safety, and welfare of its people, as is more fully set forth in documents of the Kentucky Board, attached hereto, as Appendix "A," and made a part hereof.

It is therefore:

ORDERED, pursuant to N.Y. Public Health Law Section 230(12)(b), that effective immediately, **HOWARD D. MARKOWITZ, M.D.**, Respondent, shall not practice medicine in the State of New York or in any other jurisdiction where that practice is dependent on a valid New York State license to practice medicine.

Any practice of medicine in the State of New York or in any other jurisdiction where that practice is dependent on a valid New York State license to practice medicine in violation of this Commissioner's Summary Order shall constitute Professional Misconduct within the meaning of N.Y. Educ. Law §6530 and may constitute unauthorized medical practice, a felony defined by N.Y. Educ. Law §6512.


This Order shall remain in effect until the final conclusion of a hearing that shall commence within thirty (30) days after the final conclusion of the disciplinary proceeding in the State of Kentucky. The hearing will be held pursuant to the provisions of NY. Pub. Health Law §230, and N.Y. State Admin. Proc. Act §301-307 and 401. The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct, on a date and at a location to be set forth in a written Notice of Summary Hearing, together with a Statement of Charges, to be provided to the Respondent after the final conclusion of the Kentucky proceeding. Said written Notice may be provided in person, by mail or by other means. If Respondent wishes to be provided said written notice at an address other than those set forth above, Respondent shall so notify, in writing, both the attorney whose name is set forth on this Order, and the Director of the Office of Professional Medical Conduct, at the addresses set forth below.

Respondent shall notify the Director of the Office of
Professional Medical Conduct, New York State
Department of Health, 433 River Street, Suite 303, Troy,
NY 12180-2299 via Certified Mail, Return Receipt
Requested, of the final conclusion of the New Jersey
proceeding immediately upon such conclusion.

THESE PROCEEDINGS MAY RESULT IN A
DETERMINATION THAT YOUR LICENSE TO
PRACTICE MEDICINE IN NEW YORK STATE BE
REVOKED OR SUSPENDED, AND/OR THAT YOU
MAY BE FINED OR SUBJECT TO OTHER SANCTIONS
SET FORTH IN NEW YORK PUBLIC HEALTH LAW
SECTION 230-A. YOU ARE URGED TO OBTAIN AN
ATTORNEY FOR THIS MATTER.

DATE: Albany, New York

April 21, 2003


ANTONIA C. NOVELLO, M.D., M.P.H., Dr. P. H.
Commissioner

Inquires should be addressed to:

Robert Bogan
Associate Counsel
Office of Professional Medical Conduct
433 River Street – Suite 303
Troy, New York 12180
(518) 402-0828

FILE No. 266 12/20 '02 10:50 ID-CIRCUIT COURT

FAX: 15025053496

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NO. 02CI08742

JEFFERSON CIRCUIT COURT
DIVISION TEN (10)

KENTUCKY BOARD OF MEDICAL LICENSURE

PETITIONER

VS.

TEMPORARY INJUNCTION ORDER

HOWARD D. MARKOWITZ

RESPONDENT

The above-styled matter having come before the Court on the Petitioner's Motion for a Temporary Injunction Order, and it appearing that the Petitioner, the Kentucky Board of Medical Licensure, will suffer immediate and irreparable injury, loss or damage pending final judgment in the action, and the Court being otherwise sufficiently advised,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Petitioner's request for an order temporarily enjoining the Respondent from practicing medicine within the Commonwealth of Kentucky as permitted by the Final Order Modifying Emergency Order of Suspension is hereby GRANTED for the reasons that the Petitioner has demonstrated to the Court that the general public and population of patients it is empowered with the responsibility to protect are not adequately protected by the Final Order Modifying Emergency Order of Suspension and irreparable harm and injury are a likely result of such a modification to the original Emergency Order of Suspension. Therefore, the Final Order Modifying Emergency Order of Suspension dated November 14, 2002 is stayed. The Respondent is enjoined from practicing medicine within the Commonwealth of Kentucky until there is no further injunctive order in effect against the Respondent.

ENTERED IN COURT


THOMAS WINE, JUDGE

DEC 20 2002

TONY WILKIN, CLERK

DATE: December 19, 2002


CLERK

HOUR: 4:55 pm