

I am here to discuss DUI's and their impact on a medical license. If you are a doctor arrested for a drunk driving What the Medical Board Will Do?

You don't want to be known as the DUI doctor to your colleagues, patients or the board. Any public report will stay with you forever.

In the eyes of the Medical Board, even a single conviction carries a heavy implication: that you may have an alcohol problem that extends far beyond a one-time arrest.

While a simple misdemeanor might stay off your public record, a felony DUI in California will almost certainly result in a formal Accusation and a public record on the Medical or Osteopathic Board website.

The Board operates on a difficult presumption: they assume that while you were caught this time, it likely wasn't an isolated incident. This is especially true if your blood alcohol level was high, which makes navigating negotiations with the Board significantly harder.

It is important to remember that the Board can—and usually will—investigate a DUI even if the criminal case is dismissed or reduced to a lesser charge.

In California, a DUI can be elevated to a felony under several circumstances. This includes having three prior convictions within ten years, or a single prior felony DUI conviction, even if it's over a decade old. Additionally, any DUI involving a serious injury to another person can be charged as a felony.

The Medical Board of California treats these convictions as "unprofessional conduct." Under the Business and Professions Code, the Board takes the position that drunk driving is "substantially related" to the practice of medicine. They argue it indicates impaired judgment or substance abuse risks that could threaten patient safety.

When it comes to "punishment," there are no rigid rules. The Board evaluates each case individually, looking at the number of offenses, your blood alcohol level, and whether there was an accident or injury.

For a first-time misdemeanor with no aggravating factors, you might face an informal letter that is either not public or public for a limited time. The board may impose a requirement that you participate in a treatment or abstinence program. In some cases the board will require daily testing, PETH testing and hair testing.

Multiple offenses or high-BAC felonies almost always lead to formal discipline. This can include license probation with strict biological fluid testing, suspension, or in severe cases, total revocation of your license.

Furthermore, if there is evidence of broader substance abuse, the Board triggers "Uniform Standards" that may require clinical evaluations and long-term monitoring.

Finally, do not forget your reporting requirements. Physicians must self-report any conviction—misdemeanor or felony—within thirty days. Failure to do so can lead to additional fines of up to five thousand dollars and harsher disciplinary action.

If you are a physician facing a DUI charge, your career is on the line. You need a defense that understands both the courtroom and the Board room. Call the expert lawyers at the Law Office of Daniel Horowitz at nine two five, two eight three, eighteen sixty three. We will set up an initial working session to review your risks and outline what actions you can take to defend your license. Again call us for help at nine two five, two eight three, eighteen sixty three