

**State of New Hampshire**  
**OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION**  
**DIVISION OF HEALTH PROFESSIONS**

Board of Medicine  
7 Eagle Square, Suite 300  
Concord, N.H. 03301-2412  
Telephone 603-271-2152 · Fax 603-271-6702



June 3, 2021

**By Certified Mail and Regular Mail**

Timothy Sievers, MD  
36 Middlebrook Road  
Sunapee, NH 03782

RE: Docket #2021-ENF-SIEVERS-660

Dear Dr. Sievers:

Enclosed is the "Notice of Emergency Hearing" approved by the Board on June 2, 2021 and issued on June 3, 2021.

Please feel free to contact me at [Christine.Senko@oplc.nh.gov](mailto:Christine.Senko@oplc.nh.gov) if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Christine Senko".

Christine Senko, Administrator,  
Office of Professional Licensure and Certification,  
Authorized Representative of the New Hampshire Board of Medicine

Enclosure

cc: Laura Lombardi, Esq.  
Attorney General's Office  
Board Counsel

**STATE OF NEW HAMPSHIRE  
OFFICE OF PROFESSIONAL  
LICENSURE AND CERTIFICATION**

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**BOARD OF MEDICINE**

**In Re: Timothy Sievers, MD  
Med. Lic. #9198**

**Docket No.: 2021-ENF-SIEVERS-660**

**NOTICE OF EMERGENCY HEARING -  
06/15/21 @ 2:00 PM**

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**I. CASE SUMMARY/PROCEDURAL HISTORY:**

On 06/02/21, the Board of Medicine (“Board”) received information alleging that Timothy Sievers (“Licensee”) has been subject to monitoring in the New Hampshire PHP program since 2018, and has repeatedly consumed alcohol and marijuana in violation of his PHP monitoring contract. OPLC Enforcement investigative staff conducted an expedited investigation and attempted to contact Licensee, who did not respond. Pursuant to RSA 329:18-b, the Board found Licensee’s alleged actions as stated above demonstrated an imminent threat the public health, safety, and welfare, so as to warrant emergency suspension on 06/02/21. This Notice of Emergency Hearing follows.

**II. ORDERS:**

(a) Pursuant to RSA 329:18-a and N.H. Code Admin. R., Med 409.01(a) (“Rules”), the Board hereby notifies the parties that it has scheduled an **emergency license suspension hearing** for:

**Date: 06/15/21**

**Time: 2:00 pm**

**Place: - OPLC, 7 Eagle Square, Concord, NH 03301.**

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Please advise if this hearing is anticipated to last longer than 1 hour.

(b) EMERGENCY HEARING: This emergency license suspension hearing shall be conducted pursuant to RSA 329:18-b and Rules 201 et seq. and Rule 409.01. To the extent that the Board's rules do not address an issue of policy or procedures, the Board shall rely upon RSA 541-A and N.H. Admin. R. Ann., Title Jus, Part 800.

(c) STATUTORY AUTHORITY: Pursuant to 329:18-b and Rule 409.01(a), the Board has hereby commenced this adjudicative suspension proceeding against Licensee. Pursuant to RSA 329:18-b, there shall be a hearing not later than 10 working days after the date of the agency order suspending the license. Unless expressly waived by the Licensee, if the Board had failed to commence this adjudicative proceeding within 10 working days, it would mean that the suspension order would be automatically vacated.

(d) ISSUES PRESENTED: Pursuant to Rule 206.02(c)(2) and RSA 541-A:31(III)(d), the following issues shall be considered at the emergency suspension hearing in this matter:

(1) Whether or not the Licensee's license should be suspended pending a full adjudicatory hearing in this matter, where Licensee is alleged to have consumed alcohol and/or marijuana in violation of his PHP contract.

(2) Whether or not the Licensee's license should be suspended pending a full adjudicatory hearing in this matter, where Licensee is alleged to have consumed alcohol and/or marijuana to the point of becoming a habitual user of drugs or intoxicants in violation of RSA 329:17(VI)(b).

(3) Whether or not the Licensee's license should be suspended pending a full adjudicatory hearing in this matter, where Licensee is alleged to have consumed alcohol and/or marijuana which affected his ability to practice safely or otherwise violated any other provision of RSA 329:17.

(4) Whether or not the Board should take any other remedial action pending a full adjudicatory hearing in this matter, upon a finding that Licensee is afflicted with physical or mental disability, disease, disorder, or condition deemed dangerous to the public health, or otherwise violated any other provision of RSA 329:17.

(e) PRESIDING OFFICER: Pursuant to Rule 207.01(b), Todd H. Prevett, Esq. (Hearings Examiner), or any other person whom the Board may designate, shall act as presiding officer in this proceeding.

(f) HEARING COUNSEL/PROSECUTOR: Attorney Rahkiya Medley, Chief Prosecutor, OPLC, 7 Eagle Square, Concord, N.H., 03301 is made a party to this matter, to act as Hearing Counsel with the statutory authority within the scope of RSA 329 to represent the public interest.

(g) ATTORNEYS: Pursuant to Rule 202.01, each party has the right to have an attorney represent them at the party's own expense. Any attorney representing a party shall file a notice of appearance at the earliest date possible, and no later than 3 days prior to this hearing.

(h) VOLUNTARY EXCHANGE OF DOCUMENTS: Pursuant to Rule 206.07, the parties shall attempt to forthwith agree among themselves concerning the mutual exchange of relevant information. If these efforts prove unsuccessful, upon motion, discovery shall be further ordered when the parties cannot adequately address said issues voluntarily.

(i) MOTIONS: Pursuant to Rule 205.04, parties shall file any motions or other requested relief in this matter with the Board, and provide a copy to the other parties. Unless good cause exists, all motions shall be filed at least ten (10) days before the date of any hearing, conference, event or deadline which would be affected by the requested relief. Any motion to postpone any hearing shall be filed as soon as possible and/or thirty (30) days before the hearing or conference in question.

(j) OBJECTIONS: Pursuant to Rule 205.04(f), any responses or objections to motions or other requested relief shall be filed in similar fashion within ten (10) days of receipt of such motion or other requested relief.

(k) EXHIBITS: Pursuant to Rule 204.01(c), parties shall provide a witness list, including a brief summary of their testimony, a list of proposed exhibits, and a copy of any proposed exhibits to the Board and the other parties no later than three (3) days prior to this hearing. Licensee's exhibits shall be pre-marked for identification with capital letters; Hearing Counsel's exhibits shall be pre-marked for identification with Arabic numerals.

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~~(l) MAILING ADDRESS FOR THE BOARD: Any and all motions, pleadings, proposed exhibits, or other documents shall be filed with the Board by mailing/delivering them to:~~

Christine Senko, Administrator  
Board of Medicine  
7 Eagle Square  
Concord NH 03301  
Christine.L.Senko@oplcnh.gov

(m) COMMUNICATIONS WITH THE BOARD: Routine procedural inquiries may be made by contacting Ms. Christine Senko, Administrator. Any other communications with the Board must be in writing and filed as provided above. *Ex parte* communications are specifically forbidden by law.

(n) EMAIL COMMUNICATIONS: The parties and the Board have the option to agree to exchange e-mail addresses and the parties may agree that e-mail service of any and all documents going forward shall be considered in compliance with Rule 204.03(c).

(o) CONTINUANCES: Pursuant to Rule 203.02(a), if you are unable to appear at any scheduled hearing, you must request a continuance from the Board in writing and it shall be granted if the presiding officer determines that good cause has been demonstrated under Rule 207.12(b).

(p) NON-ATTENDANCE AT HEARING: Pursuant to Rule 207.02(f), the failure of a party to appear at the time/place specified above may result in the hearing being held *in absentia* and the Board may issue a final decision without further notice or opportunity to be heard.

(q) RECORDING: A recording of the hearings shall be taken and preserved.

(r) All prior consistent orders remain in full force and effect.

A copy of this Notice of Emergency Hearing shall be served upon Licensee by certified mail addressed to the last known address supplied to the Board, and to their attorney if Licensee notifies the Board that they will be represented. A copy shall also be delivered to Hearing Counsel, Attorney Rahkiya Medley, Chief Prosecutor, OPLC, 7 Eagle Square, Concord, N.H., 03301.

DATED: 06/03/21

\_\_\_\_\_/s/ Todd H. Prevett, Esq.\_\_\_\_\_  
Todd H. Prevett, Esq., Hearings Examiner  
Authorized Representative of the  
Board of Medicine-  
New Hampshire Office of  
Professional Licensure & Certification  
7 Eagle Square  
Concord, NH 03301