



Rick Scott
Governor

H. Frank Farmer, Jr., M.D., Ph.D.
State Surgeon General

MINUTES
PUBLIC PORTION OF THE
NORTH PROBABLE CAUSE AGENDA
BOARD OF MEDICINE
SCHEDULED FOR January 20, 2012

Toll Free Number- 1-888-808-6959, Conference Code Number- 8180978700

Dr. Georges El-Bahri, M.D., Chairman, called the public portion of the meeting of the Probable Cause Panel to order at 2:04 P.M. Those present for the meeting included the following:

Members Present:

Donald Mullins – Chairperson
Trina Espinola, M.D. - Panel Member
Donald Mullins, Panel Members
Jayne Mittan, P.A. – Panel Member

Others Present included:

Ed Tellechea, Esq., Assistant Attorney General & Board Counsel
Veronica Donnelly, Assistant General Counsel, Department of Health
Shirley Bates, Attorney, Department of Health
Robert Milne, Attorney, Department of Health

Court Reporter: For the Record (850) 222-5491; FAX (850) 224-5316

Opening Remarks:

Mr. Tellechea, Assistant Attorney General, advised the panel if they have questions concerning the medical Practice Act, Chapter 458, Chapter 456, Florida Statutes or Rules of the Board to direct those questions to him. If the panel members have questions regarding the investigation and the facts of the investigation or how the investigation was handled, those questions should be directed to the prosecuting attorney. Mr. Tellechea asked the panel what material they have been provided. Ms. Bates stated the entire investigative files have been made available to the panel members and Counsel to the Board and other documents that are pertinent to the file including draft proposed administrative complaints and closing orders. Mr. Tellechea asked the panel members if they had received the materials and had sufficient time to review the materials on the agenda prior to now. The panel members answered in the affirmative.

Mr. Tellechea asked that this statement be supplied with any request for copies of transcripts. Mr. Tellechea concluded the opening remarks of the public portion of the meeting. Mr. Tellechea asked that this statement be supplied with any request for copies of transcripts. Mr. Tellechea concluded the opening remarks for the public and confidential portions of the meeting.

RECONSIDERATIONS

<u>Subject:</u>	<u>Case No.</u>	<u>Action Taken:</u>
RN-01 Steven Brown, M.D.	2010-06419	Approved AC

This case was previously brought before the Probable Cause North Panel as an eight count Administrative Complaint alleging violations of 458.331(1)(q)(t)(nn) & (m), F.S., involving prescribing, dispensing, administering, mixing, or otherwise preparing a legend drug including any controlled substance, for patient other than in the course of the physician's professional practice, with no medical records to justify why the prescriptions were being written; committing medical malpractice; violating any provision of chapters 456 or 458, Florida Statutes, or any rules adopted pursuant thereto, specifically by violating Rule 64B8-9.013(3)(a), F.A.C; failing to keep legible medical records that justify the course of treatment of the patient, including, but not limited to, patient histories; examination results; test results; records of drugs prescribed, dispensed, or administered; and reports of consultations and hospitalizations. This case was brought back before the panel for reconsideration to amend the original AC to add three additional counts for violations of 458.331(1)(r)(k)(s), F.S., involving prescribing, dispensing, or administering any medicinal drug appearing on any schedule set forth in chapter 893 by the physician to himself or herself, except one prescribed, dispensed, or administered to the physician by another practitioner authorized to prescribe, dispense, or administer medicinal drugs; making deceptive, untrue, or fraudulent representations in or related to the practice of medicine or employing a trick or scheme in the practice of medicine; being unable to practice medicine with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, chemicals or any other type of material or as a result of any mental or physical condition. The panel discussed the circumstances of the case and amendment of the Administrative Complaint.

After discussion a motion was made, seconded and carried unanimously to amend the Administrative Complaint.

Action taken: the panel voted to amend the Administrative Complaint

The meeting adjourned at 2:15 p.m.