



MINUTES
PUBLIC PORTION OF THE
SOUTH PROBABLE CAUSE AGENDA
BOARD OF MEDICINE
SCHEDULED FOR February 18, 2011

Toll Free Number- 1-888-808-6959, Conference Code Number- 2454131.

Fuad Ashkar, 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:

Fuad Ashkar, M.D. – Chairperson
Michael Chizner, M.D., Panel Member
Bradley Levine, Panel Member
Deborah Gerbert, P.A. – Panel Member

Others Present included:

Ed Tellechea, Esq. - Assistant Attorney General & Board Counsel
Elana Jones, Department of Health
Laura Glenn, Attorney, Department of Health
Jennifer Friedberg, Attorney, Department of Health
Veronica Donnelly, Attorney, Department of Health
Yolonda Green, Attorney, Department of Health
Galvin Burgess, Attorney, Department of Health
Carol Gregg, Attorney, Department of Health
Elin Erickson, Attorney, Department of Health
Geoffrey Rice, 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. Shirley Bates stated that 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.

RECONSIDERATIONS

RN-01	<u>Subject Name:</u> Greg Shore, M.D.	<u>Case No.:</u> 2008-23252	<u>Action Taken:</u> Dismiss
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This case was previously brought before the probable cause panel on November 12, 2010 as a one count Administrative Complaint (AC) alleging violation of s. 458.331(1)(t), F.S., involving practicing below the standard of care at which probable cause was found and the AC filed. It was brought back before the panel for reconsideration due to a response from the Respondent (dated April 30, 2010) including an opinion from the Respondent's expert that was not previously provided to the panel. The Respondent's expert stated the Respondent did not fall below the standard of care. In light of the information provided by the Respondent, the Department recommended the panel dismiss the case. The panel discussed the circumstances of the case and dismissal.

After discussion, a motion was made, seconded and carried unanimously to dismiss the case.

Action taken: the panel voted to dismiss the case.

RN-02	Joseph Piotrowshi, P.A.	2009-13354	PC Found
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This case was previously brought before the probable cause panel on March 12, 2010 as a one count AC alleging violation of s. 456.072(1)(w), F.W.S., involving failure to report to the board, or the department if there is no board, in writing within 30 days after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction at which probable cause was found and the AC filed. It was brought back before the panel for reconsideration to amend the original AC by adding one count for violation of s. 458.331(1)(c), involving being convicted of or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of medicine or the ability to practice medicine. The panel discussed the circumstances of the case and amendment to the AC.

After discussion, a motion was made, seconded and carried unanimously to amend the original AC.

Action Taken: the panel voted the amend the original AC