



Rick Scott  
Governor

**MINUTES**  
**PUBLIC PORTION OF THE**  
**SOUTH PROBABLE CAUSE AGENDA**  
**BOARD OF MEDICINE**  
**SCHEDULED FOR March 11, 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 2:01 P.M. Those present for the meeting included the following:

**Members Present:**

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

**Others Present included:**

Ed Tellechea, Esq. - Assistant Attorney General & Board Counsel  
Elana Jones, Department of Health  
Geoffrey Rice, Department of Health  
Carol Gregg, Department of Health  
Gavin Burgess, Department of Health  
Elin Erickson, Department of Health  
Laura Glenn, Department of Health  
David Pius, Department of Health  
Ian Brown, Department of Health  
Kristen Griswold, 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**

<b>RN-01</b>	<b><u>Subject Name:</u></b> <b>Mazhar Nawaz, M.D.</b>	<b><u>Case No.:</u></b> <b>2004-40729</b>	<b><u>Action Taken:</u></b> <b>Approved</b>
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This case was previously brought before the probable cause panel as three count Administrative Complaint (AC) alleging violations of 458.331(1)(m)(q)(t), F.S., involving failure to keep legible medial records; prescribing, dispensing, administering, mixing, or otherwise preparing a legend drug other than in the course of the physician's professional practice; and committing medical malpractice. The panel at that time found probable cause and the AC was filed. It was brought back before the panel for reconsideration due to additional information submitted by the Respondent that was not previously provided to the panel. In light of the new information the Department proposed to amend the original AC to remove the (m) count and add an additional count for violation of 458.331(1)(x), involving failure to comply with a lawfully issued subpoena. 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

<b>RN-02</b>	<b><u>Subject Name:</u></b> <b>Teodulo Mationg, M.D.</b>	<b><u>Case No.:</u></b> <b>2007-22830</b>	<b><u>Action Taken:</u></b> <b>Approved</b>
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This case was previously brought before the probable cause panel as one count Administrative Complaint (AC) alleging a violation of 458.331(1)(t), F.S., involving failure to practice medicine in accordance with the level of care, skill, and treatment recognized in general law related to health care licensure. The panel at that time found probable cause and the AC was filed. It was back as a reconsideration to amend the AC by making adding paragraph 10. Also, the Department added the phrase "with 83% blasts" to paragraph 13. The Department also added the phrase "and a 91,000 white blood count with 83% blasts" to paragraph 25 (c). Finally, paragraphs six through eleven of the Amended Administrative Complaint were reordered chronologically and slightly reworded. However, no substantive changes were made to these paragraphs, with the exception of the aforementioned addition of paragraph 10. 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

The public portion of the meeting adjourned at 2:12 p.m.