

**Department of Health  
Florida Board of Medicine Meeting  
Meeting Minutes**

**Marriott Tampa Airport  
4200 George Bean Parkway  
Tampa, FL 33607  
(813) 879-5151**

**April 9-10, 2010**

1 **Friday, April 9, 2010**

2

3

**8:00 a.m. ROLL CALL**

4

5

**Members Present:**

6

Onelia Lage, M.D. – Chair

7

Michael Chizner, M.D. – Vice Chair

8

Steven Rosenberg, M.D. – 2<sup>nd</sup> Vice Chair

9

H. Frank Farmer, M.D.

10

Trina Espinola, M.D.

11

Donald Mullins, Consumer Member

12

Robert Nuss, M.D.

13

Fred Bearison, M.D.

14

Tully Patrowicz, M.D.

15

Jason Rosenberg, M.D.

16

George Thomas, M.D.

17

Brigitte Goersch, Consumer Member

18

Elisabeth Tucker, M.D.

19

Bradley Levine, Consumer Member

20

21

**Staff Present:**

22

Larry McPherson, Executive Director

23

Ed Tellechea, Board Counsel

24

Donna McNulty, Board Counsel

25

Nancy Murphy, Paralegal

26

Crystal Sanford, Administrator

27

Chandra Prine, Administrator

28

Eulinda Smith, Public Information Officer

29

30

**Prosecuting Attorneys:**

31

Veronica Donnelly

32

Elana Jones

33

Shirley Bates

34

Diane Kiesling

35

36

**DOH General Counsel:**

**Members Absent:**

Gary Winchester, M.D.

**Others Present:**

Judy Rivenbark, M.D., Director,

Practitioners Resource Network

American Court Reporting

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1 Josie Tamayo

2

3 Dr. Lage welcomed the newest member of the Board, Ms. Goersch. She then recognized Ms.  
4 Tamyao who interested Ms. Donnelly as the new Medical Section Chief.

5

6 Mr. McPherson provided the opening remarks and summarized the various types of hearings  
7 scheduled for the day.

8

9 **DISCIPLINARY CASE SCHEDULE:**

10

11 The Board went through the Settlement Agreement List and identified those cases that did not need  
12 presentation since the Settlement Agreement imposed an adequate discipline.

13

14 **Todd Barrett Jaffe, M.D., Titusville, FL, Settlement Agreement .....8**

15

16 Dr. S. Rosenberg was recused due to participation on the probable cause panel.

17 Allegations of the Administrative Complaint: Violation of Florida Statute s. 458.331(1)(t)(2006) -  
18 Notwithstanding s. 456.072(2) but as specified in s. 456.50(2): 1. Committing medical malpractice  
19 as defined in s. 456.50. The board shall give great weight to the provisions of s. 766.102 when  
20 enforcing this paragraph. Medical malpractice shall not be construed to require more than one  
21 instance, event, or act. 2. Committing gross medical malpractice. 3. Committing repeated medical  
22 malpractice as defined in s. 456.50. A person found by the board to have committed repeated  
23 medical malpractice based on s. 456.50 may not be licensed or continue to be licensed by this state  
24 to provide health care services as a medical doctor in this state. Nothing in this paragraph shall be  
25 construed to require that a physician be incompetent to practice medicine in order to be disciplined  
26 pursuant to this paragraph. A recommended order by an administrative law judge or a final order of  
27 the board finding a violation under this paragraph shall specify whether the licensee was found to  
28 have committed "gross medical malpractice," "repeated medical malpractice," or "medical  
29 malpractice," or any combination thereof, and any publication by the board must so specify.

30 A motion was made, seconded and carried unanimously to approve the Settlement Agreement.

31

32 **Penalty imposed:** letter of concern, \$5,000 fine, costs, 50 hours community service, 3 hours CME in  
33 the use of anticoagulants, 5 hours CME in risk management

34

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1 **Ragahvender Rao Vaddepally, M.D. (NKA – Victor Ragu Roberts, M.D.), Sanford, FL,**  
2 **Settlement Agreement .....14**

3  
4 Dr. Thomas was recused due to participation on the probable cause panel.

5  
6 Allegations of the Administrative Complaint: Violation of Florida Statute s. 458.331(1)(g)(2008) –  
7 Failing to perform any statutory or legal obligation placed upon a licensed physician.

8  
9 A motion was, made, seconded and carried unanimously to approve the Settlement Agreement.

10  
11 **Penalty imposed:** letter of concern, \$4,000 fine, costs, 50 hours community service

12  
13 **Ernest Wu, M.D., Naples, FL, Settlement Agreement .....15**

14  
15 Dr. Winchester and Mr. Mullins were recused due to participation on the probable cause panel.

16  
17 Allegations of the Administrative Complaint: Violation of Florida Statute s. 458.331(1)(t)(2003) -  
18 Gross or repeated malpractice or the failure to practice medicine with that level of care, skill, and  
19 treatment which is recognized by a reasonably prudent similar physician as being acceptable under  
20 similar conditions and circumstances.

21  
22 A motion was, made, seconded and carried unanimously to approve the Settlement Agreement.

23  
24 **Penalty imposed:** letter of concern, \$5,000 fine, costs, 5 hours CME in GYN pathology, 5 hours  
25 CME in risk management

26  
27 **Theodore William Nicholas, M.D., Kill Devil Hills, NC, Settlement Agreement.....16**

28  
29 Dr. Chizner and Mr. Mullins were recused due to participation on the probable cause panel.

30  
31 Allegations of the Administrative Complaint: Violation of Florida Statute s. 458.331(1)(b)(2009) –  
32 Having a license or the authority to practice medicine revoked, suspended, or otherwise acted  
33 against, including the denial of licensure, by the licensing authority of any jurisdiction, including its  
34 agencies or subdivisions. The licensing authority's acceptance of a physician's relinquishment of a  
35 license, stipulation, consent order, or other settlement, offered in response to or in anticipation of the  
36 filing of administrative charges against the physician's license, shall be construed as action against

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1 the physician's license and violation of Florida Statute s. 458.331(1)(kk)(2009) – Failing to report to  
2 the board, in writing, within 30 days if action as defined in paragraph (b) has been taken against  
3 one's license to practice medicine in another state, territory, or country.

4  
5 A motion was, made, seconded and carried unanimously to approve the Settlement Agreement.

6  
7 **Penalty imposed:** letter of concern, \$2,000 fine, costs, 15 hours CME in EMG diagnostic studies  
8 and nerve conduction studies

9  
10 **Pajmanabha Raju Mungara, M.D., St. Petersburg, FL, Settlement Agreement .....19**

11  
12 Dr. Chizner and Mr. Mullins were recused due to participation on the probable cause panel.

13  
14 Allegations of the Administrative Complaint: Violation of Florida Statute s. 458.331(1)(m)(2008) -  
15 Failing to keep legible, as defined by department rule in consultation with the board, medical records  
16 that identify the licensed physician or the physician extender and supervising physician by name and  
17 professional title who is or are responsible for rendering, ordering, supervising, or billing for each  
18 diagnostic or treatment procedure and that justify the course of treatment of the patient, including,  
19 but not limited to, patient histories; examination results; test results; records of drugs prescribed,  
20 dispensed, or administered; and reports of consultations and hospitalizations and violation of Florida  
21 Statute s. 458.331(1)(t)(2008) - Notwithstanding s. 456.072(2) but as specified in s. 456.50(2):

22 1. Committing medical malpractice as defined in s. 456.50. The board shall give great weight to the  
23 provisions of s. 766.102 when enforcing this paragraph. Medical malpractice shall not be construed  
24 to require more than one instance, event, or act. 2. Committing gross medical malpractice.  
25 3. Committing repeated medical malpractice as defined in s. 456.50. A person found by the board to  
26 have committed repeated medical malpractice based on s. 456.50 may not be licensed or continue to  
27 be licensed by this state to provide health care services as a medical doctor in this state. Nothing in  
28 this paragraph shall be construed to require that a physician be incompetent to practice medicine in  
29 order to be disciplined pursuant to this paragraph. A recommended order by an administrative law  
30 judge or a final order of the board finding a violation under this paragraph shall specify whether the  
31 licensee was found to have committed "gross medical malpractice," "repeated medical malpractice,"  
32 or "medical malpractice," or any combination thereof, and any publication by the board must so  
33 specify.

34  
35 A motion was, made, seconded and carried unanimously to approve the Settlement Agreement.

36

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1 **Penalty imposed:** letter of concern, \$10,000 fine, costs, 50 hours community service, 5 hours CME  
2 in pharmaceutical interactions

3  
4 **Miguel Francisco Hernandez, M.D., Settlement Agreement .....22**

5  
6 Dr. Hernandez was present and represented by Mark Dresnick, Esquire.

7  
8 Dr. S. Rosenberg and Mr. Levine were recused due to participation on the probable cause panel.

9  
10 Ms. Jones represented the Department and presented the case to the Board. Allegations of the  
11 Administrative Complaint: Violation of Florida Statute s. 458.331(1)(c)(2008) - Being convicted or  
12 found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any  
13 jurisdiction which directly relates to the practice of medicine or to the ability to practice medicine.

14  
15 A motion was made, seconded and carried unanimously to reject the Settlement Agreement.

16  
17 A motion was made, seconded and carried unanimously to offer a counter proposal to impose  
18 revocation.

19  
20 The Respondent took 7 days to decide to accept or reject the counter offer.

21  
22 **Action taken:** Settlement Agreement rejected; counter for revocation

23  
24 **Robert Allan Ruth, M.D., Glendive, MT, Settlement Agreement .....1**

25  
26 Dr. Ruth was present, but not represented by counsel.

27  
28 Dr. Lage was recused due to participation on the probable cause panel. Dr. Chizner chaired this  
29 hearing.

30 Ms. Jones represented the Department and presented the case to the Board. Allegations of the  
31 Administrative Complaint: Violation of Florida Statutes s. 458.331(1)(t)(2006) - Notwithstanding s.  
32 456.072(2) but as specified in s. 456.50(2): 1. Committing medical malpractice as defined in s.  
33 456.50. The board shall give great weight to the provisions of s. 766.102 when enforcing this  
34 paragraph. Medical malpractice shall not be construed to require more than one instance, event, or  
35 act. 2. Committing gross medical malpractice. 3. Committing repeated medical malpractice as

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1 defined in s. 456.50. A person found by the board to have committed repeated medical malpractice  
2 based on s. 456.50 may not be licensed or continue to be licensed by this state to provide health care  
3 services as a medical doctor in this state. Nothing in this paragraph shall be construed to require that  
4 a physician be incompetent to practice medicine in order to be disciplined pursuant to this paragraph.  
5 A recommended order by an administrative law judge or a final order of the board finding a  
6 violation under this paragraph shall specify whether the licensee was found to have committed  
7 "gross medical malpractice," "repeated medical malpractice," or "medical malpractice," or any  
8 combination thereof, and any publication by the board must so specify.

9 A motion was made, seconded and carried with 5 opposed to reject the Settlement Agreement.

10  
11 A motion was made and seconded to offer a counter propose to impose the same terms except to  
12 impose a \$5,000 fine.

13  
14 After a lengthy discussion, a motion was made, seconded and carried unanimously to c lose the  
15 debate.

16  
17 The original motion carried with 4 opposed.

18  
19 The Respondent accepted the counter offer.

20  
21 **Penalty imposed:** letter of concern, \$5,000 fine, costs, 5 hours CME in identification and diagnosis  
22 of gastrointestinal conditions, 5 hours CME in risk management

23  
24 **Antoinette Louise Lloyd, M.D., Orange Park, FL, Settlement Agreement .....2**

25  
26 Dr. Lloyd was present but not represented by counsel.

27  
28 Dr. Chizner was recused due to participation on the probable cause panel.

29  
30 Ms. Jones represented the Department and presented the case to the Board. Allegations of the  
31 Administrative Complaint: Violation of Florida Statutes s. 456.072(1)(k)(2009) - Failing to perform  
32 any statutory or legal obligation placed upon a licensee.

33  
34 A motion was made, seconded and carried with 3 opposed to reject the Settlement Agreement.

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1 A motion was made and seconded to offer a counter proposal to impose a \$4,500 fine, letter of  
2 concern, suspension until she submits proof of a new payment plan or proof she has re-entered the  
3 program, jurisdiction reserved to impose additional terms at reinstatement which requires an  
4 appearance before the Board, probation concurrent with the term of repayment or completion of  
5 services and costs.

6  
7 An amendment was offered to require completion of the laws and rules course. This amendment  
8 was rejected.

9  
10 The motion carried unanimously.

11  
12 The Respondent took 7 days to accept or reject the counter offer.

13  
14 **Action taken:** Settlement Agreement rejected; counter to impose \$4,500 fine, letter of concern,  
15 suspension until she submits proof of a new payment plan or proof she has re-entered the program,  
16 jurisdiction reserved to impose additional terms at reinstatement which requires an appearance  
17 before the Board, probation concurrent with the term of repayment or completion of services and  
18 costs

19  
20 **Gregory Luke Smith, M.D., Sandy Springs, GA, Settlement Agreement .....3**

21  
22 Dr. Smith was present, but not represented by counsel.

23  
24 In case number 2006-38977, Dr. S. Rosenberg and Mr. Levine were recused due to participation on  
25 the probable cause panel. In case number 2007-15092, Dr. Chizner was recused.

26  
27 Ms. Jones represented the Department and presented the cases to the Board. Allegations of the  
28 Administrative Complaint: Violation of Florida Statutes s. 458.331(1)(g)(2006) - Failing to perform  
29 any statutory or legal obligation placed upon a licensed physicians. 458.331(1)(nn)(2006) - Violating  
30 any provision of this chapter or chapter 456, or any rules adopted pursuant thereto.

31  
32 A motion was made, seconded and carried unanimously to reject the Settlement Agreement.

33  
34 A motion was made, seconded and carried unanimously to offer a counter proposal to impose a  
35 reprimand, \$10,000 fine, costs, laws and rules course, risk management review, 50 hours community  
36 service, ethics course, and suspension for 1 year with 6 months stayed.

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1  
2 The Respondent took 7 days to accept or reject the counter offer.  
3

4 **Action taken:** Settlement Agreement rejected; counter offered to impose reprimand, \$10,000 fine,  
5 costs, laws and rules course, risk management review, 50 hours community service, ethics course,  
6 suspension for 1 year with 6 months stayed  
7

8 **CHAIR’S RECOGNITION AWARD:**  
9

10 Dr. Lage recognized Bryan Allen, University of South Florida medical student for exemplifying  
11 professionalism, moral character, compassion and intellect essential to the future leaders of our  
12 medical profession. Mr. Allen received a certificate and a book.  
13

14 **Nocollege A. Pupuma, P.A., Norcross, GA, Settlement Agreement .....4**  
15

16 Dr. Pupuma was not present nor was she represented by counsel. Her appearance was waived in the  
17 Settlement Agreement.  
18

19 No current members were recused due to participation on the probable cause panel.  
20

21 Ms. Jones represented the Department and presented the case to the Board. Allegations of the  
22 Administrative Complaint: Violation of Florida Statute s. 458.331(1)(x)(2008) - Violating a lawful  
23 order of the board or department previously entered in a disciplinary hearing or failing to comply  
24 with a lawfully issued subpoena of the department and violation of Florida Statute  
25 s. 458.331(1)(nn)(2008) - Violating any provision of this chapter or chapter 456, or any rules  
26 adopted pursuant thereto.  
27

28 A motion was made, seconded and carried unanimously to accept the Settlement Agreement.  
29

30 **Penalty imposed:** reprimand, \$5,000 fine, costs, laws and rules course, 100 hours community  
31 service, compliance with previous Final Order  
32

33 **Ramon Antonio Pichardo, M.D., Miami, FL, Motion to Vacate Final Order and for Hearing**  
34 **Not Involving Disputed Issues of Material Fact .....5**  
35

36 Dr. Pichardo was not present, but he was represented by Craig Brand, Esquire.

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1  
2 Dr. Nuss and Mr. Levine were recused due to participation on the probable cause panel.  
3

4 Ms. Jones represented the Department and presented the case to the Board. Allegations of the  
5 Administrative Complaint: Violation of Florida Statute s. 458.331(1)(c)(2008) - Being convicted or  
6 found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any  
7 jurisdiction which directly relates to the practice of medicine or to the ability to practice medicine.  
8

9 After discussion, a motion was made, seconded and carried unanimously to vacate the Final Order.  
10

11 Mr. Brand contested the facts of the Administrative Complaint stating there was no conspiracy.  
12

13 A motion was made, seconded and carried unanimously to remand this case to the Division of  
14 Administrative Hearings (DOAH).  
15

16 **Action taken:** referred to DOAH  
17

18 **Carlos S. Contreras, M.D., Determination of Waiver .....6**  
19

20 Dr. Contreras was not present, nor was he represented by Craig Brand, Esquire. Mr. Brand stated  
21 that he also represents Dr. Contreras, did not receive notice of this hearing and was surprised to  
22 arrive and find him on the agenda.  
23

24 Mr. Tellechea advised the Board that Mr. Brand's name was not listed as counsel of record on the  
25 memo to the Board and therefore, no notice of hearing was sent.  
26

27 Dr. Tucker was recused due to participation on the probable cause panel.  
28

29 A motion was made, seconded and carried unanimously to table this hearing until the next meeting.  
30

31 **Action taken:** hearing tabled until next meeting  
32

33 **Mabel Hernandez, M.D., Determination of Waiver .....7**  
34

35 Dr. Hernandez was not present nor was she represented by counsel.  
36

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1 No current members were recused due to participation on the probable cause panel.

2

3 Ms. Jones represented the Department and presented the case to the Board. Allegations of the  
4 Administrative Complaint: Violation of Florida Statute s. 458.331(1)(x)(2008) – Violating a lawful  
5 order of the board or department previously entered in a disciplinary hearing or failing to comply  
6 with a lawfully issued subpoena of the department.

7

8 A motion was made, seconded and carried unanimously to find the Respondent waived her right to a  
9 hearing.

10

11 A motion was made, seconded and carried unanimously to adopt the Findings of Fact.

12

13 A motion was made, seconded and carried unanimously to adopt the Conclusions of Law

14

15 A motion was made, seconded and carried unanimously to find the Respondent violated Florida  
16 Statutes as charged in the Administrative Complaint.

17

18 A motion was made, seconded and carried unanimously to impose revocation.

19

20 A motion was made, seconded and carried unanimously to assess costs in the amount of \$716.25.

21

22 **Penalty imposed:** revocation, costs

23

24 **Donald Trayfo Eagle, M.D., Eustis, FL , Settlement Agreement .....9**

25

26 Dr. Eagle was present and represented by Terese M. Latham, Esquire.

27

28 Dr. Lage was recused due to participation on the probable cause panel. Dr. Chizner chaired this  
29 hearing.

30

31 Ms. Jones represented the Department and presented the case to the Board. Allegations of the  
32 Administrative Complaint: Violation of Florida Statute s. 458.331(1)(m)(2003-2007) – Failing to  
33 keep legible, as defined by department rule in consultation with the board, medical records that  
34 identify the licensed physician or the physician extender and supervising physician by name and  
35 professional title who is or are responsible for rendering, ordering, supervising, or billing for each  
36 diagnostic or treatment procedure and that justify the course of treatment of the patient, including,

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1 but not limited to, patient histories; examination results; test results; records of drugs prescribed,  
2 dispensed, or administered; and reports of consultations and hospitalizations; violation of Florida  
3 Statute s. 458.331(1)(q)(2003-2007) – Prescribing, dispensing, administering, mixing, or otherwise  
4 preparing a legend drug, including any controlled substance, other than in the course of the  
5 physician's professional practice. For the purposes of this paragraph, it shall be legally presumed that  
6 prescribing, dispensing, administering, mixing, or otherwise preparing legend drugs, including all  
7 controlled substances, inappropriately or in excessive or inappropriate quantities is not in the best  
8 interest of the patient and is not in the course of the physician's professional practice, without regard  
9 to his or her intent; and violation of Florida Statute s. 458.331(1)(t)(2003-2007) – Notwithstanding s.  
10 456.072(2) but as specified in s. 456.50(2): 1. Committing medical malpractice as defined in s.  
11 456.50. The board shall give great weight to the provisions of s. 766.102 when enforcing this  
12 paragraph. Medical malpractice shall not be construed to require more than one instance, event, or  
13 act. 2. Committing gross medical malpractice. 3. Committing repeated medical malpractice as  
14 defined in s. 456.50. A person found by the board to have committed repeated medical malpractice  
15 based on s. 456.50 may not be licensed or continue to be licensed by this state to provide health care  
16 services as a medical doctor in this state. Nothing in this paragraph shall be construed to require that  
17 a physician be incompetent to practice medicine in order to be disciplined pursuant to this paragraph.  
18 A recommended order by an administrative law judge or a final order of the board finding a  
19 violation under this paragraph shall specify whether the licensee was found to have committed  
20 "gross medical malpractice," "repeated medical malpractice," or "medical malpractice," or any  
21 combination thereof, and any publication by the board must so specify.

22  
23 A motion was made, seconded and carried unanimously to reject the Settlement Agreement.

24  
25 A motion was made, seconded and carried unanimously to offer a counter proposal to impose a letter  
26 of concern, \$5,000 fine, costs, FMA record keeping course, USF drug course, 100 hours community  
27 service and 5 hours CME in risk management. The Respondent is given no credit for the record  
28 keeping course and drug course already taken.

29  
30 The Respondent accepted the counter offer.

31  
32 **Penalty imposed:** letter of concern, \$5,000 fine, costs, FMA records course, 100 hours community  
33 service, 5 hours CME in risk management, USF drug course

34  
35 **Rajashaker P. Reddy, M.D., Hearing Not Involving Disputed Issues of Material Fact****10**

36

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1 Dr. Reddy was present but not represented by counsel.

2

3 Dr. Thomas was recused due to participation on the probable cause panel.

4

5 Ms. Jones represented the Department and presented the case to the Board. Allegations of the  
6 Administrative Complaint: Violation of Florida Statute 458.331(1)(b)(2008) – Having a license or  
7 the authority to practice medicine revoked, suspended, or otherwise acted against, including the  
8 denial of licensure, by the licensing authority of any jurisdiction, including its agencies or  
9 subdivisions. The licensing authority's acceptance of a physician's relinquishment of a license,  
10 stipulation, consent order, or other settlement, offered in response to or in anticipation of the filing of  
11 administrative charges against the physician's license, shall be construed as action against the  
12 physician's license and violation of Florida Statute 458.331(1)(kk)(2008) – Failing to report to the  
13 board, in writing, within 30 days if action as defined in paragraph (b) has been taken against one's  
14 license to practice medicine in another state, territory, or country.

15

16 A motion was made, seconded and carried unanimously to adopt the Findings of Fact.

17

18 A motion was made, seconded and carried unanimously to adopt the Conclusions of Law

19

20 A motion was made, seconded and carried unanimously to find the Respondent violated Florida  
21 Statutes as charged in the Administrative Complaint.

22

23 A motion was made and seconded to impose a reprimand, \$5,000 fine, laws and rules course, and he  
24 is not allowed to use RPA's in Florida unless he uses Florida licensed personnel. The motion died  
25 with 10 opposed.

26

27 Another motion was made and seconded to impose a letter of concern, \$1,000 fine and the laws and  
28 rules course.

29

30 An amendment was offered to drop the laws and rules course. The amendment was accepted.

31

32 The motion carried with 2 opposed.

33

34 A motion was made, seconded and failed 6-6 to assess costs in the amount of \$5,154.41.

35

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1 A motion was made, seconded and carried unanimously to reconsider assessing costs in the amount  
2 stated above and the motion carried with 3 opposed.

3  
4 **Penalty imposed:** letter of concern, \$1,000 fine, costs

5  
6 **Norman M. Moskowitz, M.D., Boca Raton, FL, Settlement Agreement .....11**

7  
8 Dr. Moskowitz was present and represented by Steven R. Ballinger, Esquire.

9  
10 Dr. Winchester was recused due to participation on the probable cause panel.

11  
12 Ms. Jones represented the Department and presented the case to the Board. Allegations of the  
13 Administrative Complaint: Violation of Florida Statute s. 458.331(1)(m)(2008-2009) – Failing to  
14 keep legible, as defined by department rule in consultation with the board, medical records that  
15 identify the licensed physician or the physician extender and supervising physician by name and  
16 professional title who is or are responsible for rendering, ordering, supervising, or billing for each  
17 diagnostic or treatment procedure and that justify the course of treatment of the patient, including,  
18 but not limited to, patient histories; examination results; test results; records of drugs prescribed,  
19 dispensed, or administered; and reports of consultations and hospitalizations; violation of Florida  
20 Statute s. 458.331(1)(q)(2008-2009) – Prescribing, dispensing, administering, mixing, or otherwise  
21 preparing a legend drug, including any controlled substance, other than in the course of the  
22 physician's professional practice. For the purposes of this paragraph, it shall be legally presumed that  
23 prescribing, dispensing, administering, mixing, or otherwise preparing legend drugs, including all  
24 controlled substances, inappropriately or in excessive or inappropriate quantities is not in the best  
25 interest of the patient and is not in the course of the physician's professional practice, without regard  
26 to his or her intent; violation of Florida Statute s. 458.331(1)(t)(2008-2009) – Notwithstanding s.  
27 456.072(2) but as specified in s. 456.50(2): 1. Committing medical malpractice as defined in s.  
28 456.50. The board shall give great weight to the provisions of s. 766.102 when enforcing this  
29 paragraph. Medical malpractice shall not be construed to require more than one instance, event, or  
30 act. 2. Committing gross medical malpractice. 3. Committing repeated medical malpractice as  
31 defined in s. 456.50. A person found by the board to have committed repeated medical malpractice  
32 based on s. 456.50 may not be licensed or continue to be licensed by this state to provide health care  
33 services as a medical doctor in this state. Nothing in this paragraph shall be construed to require that  
34 a physician be incompetent to practice medicine in order to be disciplined pursuant to this paragraph.  
35 A recommended order by an administrative law judge or a final order of the board finding a  
36 violation under this paragraph shall specify whether the licensee was found to have committed

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1 "gross medical malpractice," "repeated medical malpractice," or "medical malpractice," or any  
2 combination thereof, and any publication by the board must so specify; violation of Florida Statute s.  
3 458.331(1)(g)(2008-2009) – Failing to perform any statutory or legal obligation placed upon a  
4 licensed physician; and violation of Florida Statute s. 458.331(1)(nn)(2008-2009) – Violating any  
5 provision of this chapter or chapter 456, or any rules adopted pursuant thereto.

6  
7 A motion was made, seconded and carried unanimously to reject the Settlement Agreement.

8  
9 A motion was made and seconded to offer a counter proposal to impose the same terms in the  
10 original agreement with the following changes: \$50,000 fine, relinquish DEA license, shall never  
11 practice in a pain management clinic as defined by s. 458.309, Florida Statutes.

12  
13 An amendment was offered to increase the community service to 100 hours. The amendment was  
14 accepted.

15  
16 Another amendment was offered to require a FL CARES evaluation and compliance prior to  
17 resuming practice in lieu of the risk management assessment. This amendment was accepted.

18  
19 Another amendment was offered to prohibit the prescribing of controlled substances until the FL  
20 CARES evaluation in lieu of relinquishing his DEA license. This amendment was also accepted.

21  
22 The motion carried with 1 opposed.

23  
24 The Respondent took 7 days to accept or reject the counter offer.

25  
26 **Action taken:** Settlement Agreement rejected; counter offer to impose reprimand, \$50,000 fine,  
27 costs, USF drug course, FMA records course , 100 hours community service, FL CARES evaluation  
28 and compliance, restriction on practice: cannot work in pain management clinic, prohibit the  
29 prescribing of controlled substances until the FL CARES evaluation

30  
31 **Gilberto Sanchez, M.D., Montgomery, AL, Hearing Not Involving Disputed Issues of**  
32 **Material Fact .....17**

33  
34 Dr. Sanchez was present but not represented by counsel.

35  
36 Dr. S. Rosenberg was recused due to participation on the probable cause panel.

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1  
2 Ms. Bates represented the Department and presented the case to the Board. Allegations of the  
3 Administrative Complaint: Violation of Florida Statute s. 458.331(1)(b)(2008) – Having a license or  
4 the authority to practice medicine revoked, suspended, or otherwise acted against, including the  
5 denial of licensure, by the licensing authority of any jurisdiction, including its agencies or  
6 subdivisions. The licensing authority's acceptance of a physician's relinquishment of a license,  
7 stipulation, consent order, or other settlement, offered in response to or in anticipation of the filing of  
8 administrative charges against the physician's license, shall be construed as action against the  
9 physician's license and violation of Florida Statute s. 458.331(1)(kk)(2008) – Failing to report to the  
10 board, in writing, within 30 days if action as defined in paragraph (b) has been taken against one's  
11 license to practice medicine in another state, territory, or country.

12  
13 A motion was made, seconded and carried unanimously to adopt the Findings of Fact.

14  
15 A motion was made, seconded and carried unanimously to adopt the Conclusions of Law.

16  
17 A motion was made, seconded and carried unanimously to find the Respondent has violated Florida  
18 Statutes as charged in the Administrative Complaint.

19  
20 A motion was made, seconded and carried unanimously to impose a reprimand, suspension until his  
21 Alabama license is free and unencumbered, Board retains jurisdiction to impose additional terms at  
22 reinstatement, \$10,000 fine, laws and rules course, FMA record keeping course, and 5 hours CME in  
23 risk management.

24  
25 A motion was made, seconded and carried unanimously to assess costs in the amount of \$2,113.18.

26  
27 **Penalty imposed:** reprimand, suspension until his Alabama license is free and unencumbered, Board  
28 retains jurisdiction to impose additional terms at reinstatement, \$10,000 fine, costs, laws and rules  
29 course, FMA record keeping course, 5 hours CME in risk management

30  
31 **Eva Taub, E.O., Bay Harbor, FL, Hearing Not Involving Disputed Issues of Material**  
32 **Fact .....18**

33  
34 Ms. Taub was not present nor was she represented by counsel.

35  
36 Dr. Winchester and Mr. Mullins were recused due to participation on the probable cause panel.

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1  
2 Ms. Bates represented the Department and presented the case to the Board. Allegations of the  
3 Administrative Complaint: Violation of Florida Statute s. 478.52(1)(1)(2007) - Failing to perform  
4 any statutory or legal obligation placed upon an electrologist.

5  
6 A motion was made, seconded and carried unanimously to adopt the Findings of Fact.

7  
8 A motion was made, seconded and carried unanimously to adopt the Conclusions of Law.

9  
10 A motion was made, seconded and carried unanimously to find the Respondent has violated Florida  
11 Statutes as charged in the Administrative Complaint.

12  
13 A motion was made, seconded and carried with 1 opposed to impose a letter of concern, \$250 fine,  
14 laws and rules course and required to pay the assessment within 1 year.

15  
16 A motion was made, seconded and carried unanimously to assess costs in the amount of \$422.11.

17  
18 **Penalty imposed:** letter of concern, \$250 fine, costs, laws and rules course, required to pay the  
19 assessment within 1 year

20  
21 **CHAIR'S RECOGNITION AWARD:**

22  
23 Dr. Lage recognized Terri-Ann Bennett medical student from the University of Miami and Timothy  
24 Replogle from the University of Florida for exemplifying professionalism, moral character,  
25 compassion and intellect essential to the future leaders of our medical profession. Both will receive  
26 a certificate and a book. Dr. Lage will make the presentation to Ms. Bennett and Dr. Jason  
27 Rosenberg will make the presentation to Mr. Replogle.

28  
29 Lunch 12:40 – 2:00 pm

30  
31 **Jitendrakumar Amrutlal Patel, M.D., Martinez, GA, Hearing Not Involving Disputed**  
32 **Issues of Material Fact.....20**

33  
34 Dr. Patel was present, but not represented by counsel.

35  
36 Dr. Chizner and Mr. Mullins were recused due to participation on the probable cause panel.

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3 Administrative Complaint: Violation of Florida Statute s. 458.331(1)(b)(2009) – Having a license or  
4 the authority to practice medicine revoked, suspended, or otherwise acted against, including the  
5 denial of licensure, by the licensing authority of any jurisdiction, including its agencies or  
6 subdivisions. The licensing authority's acceptance of a physician's relinquishment of a license,  
7 stipulation, consent order, or other settlement, offered in response to or in anticipation of the filing of  
8 administrative charges against the physician's license, shall be construed as action against the  
9 physician's license and violation of Florida Statute s. 458.331(1)(kk)(2009) – Failing to report to the  
10 board, in writing, within 30 days if action as defined in paragraph (b) has been taken against one's  
11 license to practice medicine in another state, territory, or country.

12  
13 A motion was made, seconded and carried unanimously to adopt the Findings of Fact.

14  
15 A motion was made, seconded and carried unanimously to adopt the Conclusions of Law.

16  
17 A motion was made, seconded and carried unanimously to find the Respondent has violated Florida  
18 Statutes as charged in the Administrative Complaint.

19  
20 A motion was made, seconded and carried unanimously to impose a letter of concern, \$1,000 fine  
21 and the laws and rules course.

22  
23 A motion was made, seconded and carried unanimously to assess costs in the amount of \$1,068.20.

24  
25 **Penalty imposed:** letter of concern, \$1,000 fine, costs, laws and rules course

26  
27 **Pedro Lucio Carrillo, M.D., Miami, FL, Settlement Agreement .....23**

28  
29 Dr. Carrillo was present and represented by Frank Quintero, Jr., Esquire.

30  
31 Dr. Farmer was recused due to participation on the probable cause panel.

32  
33 Ms. Bates represented the Department and represented the cases to the Board. Allegations of the  
34 Administrative Complaint: Violation of Florida Statute s. 458.331(1)(t)(2003-2004) – Gross or  
35 repeated malpractice or the failure to practice medicine with that level of care, skill, and treatment  
36 which is recognized by a reasonably prudent similar physician as being acceptable under similar

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1 conditions and circumstances and violation of Florida Statute s. 458.331(1)(m)(2003-2004) – Failing  
2 to keep legible, as defined by department rule in consultation with the board, medical records that  
3 identify the licensed physician or the physician extender and supervising physician by name and  
4 professional title who is or are responsible for rendering, ordering, supervising, or billing for each  
5 diagnostic or treatment procedure and that justify the course of treatment of the patient, including,  
6 but not limited to, patient histories; examination results; test results; records of drugs prescribed,  
7 dispensed, or administered; and reports of consultations and hospitalizations.

8  
9 A motion was made, seconded and carried unanimously to reject the Settlement Agreement.

10  
11 A motion was made and seconded to offer a counter proposal to impose a reprimand, \$46,000 fine,  
12 costs, FMA record keeping course, 100 hours community service and 20 hours CME split between  
13 HIV and ethics.

14  
15 An amendment was offered to require a FL CARES evaluation and compliance, reserving  
16 jurisdiction to impose additional terms, and to require only 5 hours CME in ethics. The amendment  
17 was accepted.

18  
19 Another amendment was offered to prohibit him from treating HIV patients and also to restrict him  
20 from providing infusion therapy. These amendments were accepted.

21  
22 Another amendment was offered to suspend the Respondent’s license until the FL CARES  
23 evaluation in lieu of placing the restrictions on his license. After discussion, this amendment was  
24 rejected.

25  
26 The motion carried with 3 opposed.

27  
28 The Respondent took 7 days to accept or reject the counter offer.

29  
30 **Penalty imposed:** Settlement Agreement rejected; counter offer to impose reprimand, \$46,000 fine,  
31 costs, FMA record keeping course, 100 hours community service, ethics course, FL CARES  
32 evaluation and compliance, jurisdiction reserved; prohibited from treating HIV patients and from  
33 providing infusion therapy

34  
35 **Jack B. Powell, Jr., M.D., Lakeland, FL, Hearing Not Involving Disputed Issues of**  
36 **Material Fact .....**24

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1  
2 Dr. Powell was present and not represented by counsel.

3  
4 Dr. Thomas was recused due to participation on the probable cause panel.

5  
6 Ms. Bates represented the Department and presented the case to the Board. Allegations of the  
7 Administrative Complaint: violation of Florida Statute s. 458.331(1)(x)(2008) - Violating a lawful  
8 order of the board or department previously entered in a disciplinary hearing or failing to comply  
9 with a lawfully issued subpoena of the department.

10  
11 A motion was made, seconded and carried unanimously to adopt the Findings of Fact.

12  
13 A motion was made, seconded and carried unanimously to adopt the Conclusions of Law.

14  
15 A motion was made, seconded and carried unanimously to find the Respondent has violated Florida  
16 Statutes as charged in the Administrative Complaint.

17  
18 A motion was made, seconded and carried unanimously to impose a letter of concern, \$5,000 fine  
19 and suspension until completion of the laws and rules course.

20  
21 A motion was made, seconded and carried unanimously to assess costs in the amount of \$828.98.

22  
23 **Penalty imposed:** letter of concern, \$5,000 fine, suspension until completion of laws and rules  
24 course

25  
26 **Thomas L. Atlas, M.D., Huntington Beach, CA, Determination of Waiver.....25**

27  
28 Dr. Atlas was present, but not represented by counsel.

29  
30 Dr. Thomas was recused due to participation on the probable cause panel.

31  
32 Ms. Bates represented the Department and presented the case to the Board. Allegations of the  
33 Amended Administrative Complaint: Violation of Florida Statute s. 456.072(1)(q)(2007) - Violating  
34 a lawful order of the department or the board, or failing to comply with a lawfully issued subpoena  
35 of the department.

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1 Since the Administrative Complaint had been amended, the Respondent has the right to respond  
2 making the Determination of Waiver premature.

3  
4 A motion was made, seconded and carried unanimously to table this hearing.

5  
6 **Action taken:** hearing tabled

7  
8 **Forrest Carlton Arthur, M.D., Determination of Waiver .....26**

9  
10 Dr. Arthur was not present nor was he represented by counsel.

11  
12 Dr. Winchester and Mr. Levine were recused due to participation on the probable cause panel.

13  
14 Ms. Bates represented the Department and presented the case to the Board. Allegations of the  
15 Administrative Complaint: Violation of Florida Statute s. 458.331(1)(k)(2008) – Making deceptive,  
16 untrue, or fraudulent representations in or related to the practice of medicine or employing a trick or  
17 scheme in the practice of medicine; violation of Florida Statute s. 458.331(1)(s)(2008) – Being  
18 unable to practice medicine with reasonable skill and safety to patients by reason of illness or use of  
19 alcohol, drugs, narcotics, chemicals, or any other type of material or as a result of any mental or  
20 physical condition; violation of Florida Statute s. 458.331(1)(q)(2008) – Prescribing, dispensing,  
21 administering, mixing, or otherwise preparing a legend drug, including any controlled substance,  
22 other than in the course of the physician's professional practice. For the purposes of this paragraph, it  
23 shall be legally presumed that prescribing, dispensing, administering, mixing, or otherwise preparing  
24 legend drugs, including all controlled substances, inappropriately or in excessive or inappropriate  
25 quantities is not in the best interest of the patient and is not in the course of the physician's  
26 professional practice, without regard to his or her intent; and violation of Florida Statute s.  
27 456.072(1)(hh)(2008) - Being terminated from a treatment program for impaired practitioners, which  
28 is overseen by an impaired practitioner consultant as described in s. 456.076, for failure to comply,  
29 without good cause, with the terms of the monitoring or treatment contract entered into by the  
30 licensee, or for not successfully completing any drug treatment or alcohol treatment program.

31  
32 A motion was made, seconded and carried unanimously to find the Respondent waived his right to a  
33 hearing.

34  
35 A motion was made, seconded and carried unanimously to adopt the Findings of Fact.

36

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1 A motion was made, seconded and carried unanimously to adopt the Conclusions of Law.

2

3 A motion was made, seconded and carried unanimously to find the Respondent has violated Florida  
4 Statutes as charged in the Administrative Complaint.

5

6 A motion was made, seconded and carried unanimously to impose revocation.

7

8 A motion was made, seconded and carried unanimously to assess costs in the amount of \$6,588.39.

9

10 **Penalty imposed:** revocation, costs

11

12 **Fabian Aurignac, M.D., McCallen, TX, Determination of Waiver .....27**

13

14 Dr. Aurignac was not present nor was he represented by counsel.

15

16 Dr. S. Rosenberg was recused due to participation on the probable cause panel.

17

18 Ms. Kiesling represented the Department and presented the case to the Board. Allegations of the  
19 Administrative Complaint: Violation of Florida Statute s. 458.331(1)(x)(2008) - Violating a lawful  
20 order of the board or department previously entered in a disciplinary hearing or failing to comply  
21 with a lawfully issued subpoena of the department.

22

23 A motion was made, seconded and carried unanimously to find the Respondent waived his right to a  
24 hearing.

25

26 A motion was made, seconded and carried unanimously to adopt the Findings of Fact.

27

28 A motion was made, seconded and carried unanimously to adopt the Conclusions of Law.

29

30 A motion was made, seconded and carried unanimously to find the Respondent has violated Florida  
31 Statutes as charged in the Administrative Complaint.

32

33 A motion was made, seconded and carried unanimously to impose \$5,000 fine and laws and rules  
34 course within 1 year of release from prison, suspension until license is free and clear in all  
35 jurisdictions. The laws and rules course ordered in this case counts toward completion of the laws  
36 and rules course imposed in the previous Final Order.

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1  
2 A motion was made, seconded and carried unanimously to assess costs in the amount of \$1,184.76.

3  
4 **Penalty imposed:** \$5,000 fine and laws and rules course within 1 year of release from prison,  
5 suspension until license is free and clear in all jurisdictions; laws and rules course ordered in this  
6 case counts toward completion of the laws and rules course imposed in the previous Final Order;  
7 costs

8  
9 **William J. Paneral, P.A., Determination of Waiver .....28**

10  
11 Mr. Paneral was present but not represented by counsel. Since he is present, the Board moved  
12 forward as an informal hearing.

13  
14 Dr. Winchester and Mr. Mullins were recused due to participation on the probable cause panel.

15  
16 Ms. Kiesling represented the Department and presented the case to the Board. Allegations of the  
17 Administrative Complaint: Violation of Florida Statute s. 456.072(1)(q)(2006) – Violating a lawful  
18 order of the department or the board, or failing to comply with a lawfully issued subpoena of the  
19 department.

20  
21 A motion was made, seconded and carried unanimously to adopt the Findings of Fact.

22  
23 A motion was made, seconded and carried unanimously to adopt the Conclusions of Law.

24  
25 A motion was made, seconded and carried unanimously to find the Respondent has violated Florida  
26 Statutes as charged in the Administrative Complaint.

27  
28 A motion was made, seconded and carried unanimously to impose suspension until complies with  
29 CME requirement for renewal, \$1,000 fine, and payment of the costs and fines imposed in the  
30 citation.

31  
32 A motion was made, seconded and carried unanimously to assess costs in the amount of \$1,234.72.

33  
34 **Penalty imposed:** suspension until complies with CME requirement for renewal, \$1,000 fine, and  
35 payment of the costs and fines imposed in the citation, costs

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**David Lawrence Charles Wells, M.D., Neosho, MO, Settlement Agreement .....29**

Dr. Wells was present and represented by Dennis Alessi, Esquire.

No current members were recused due to participation on the probable cause panel.

Ms. Kiesling represented the Department and presented the case to the Board. Allegations of the Administrative Complaint: Violation of Florida Statute s. 458.331(1)(t)(2006) - Notwithstanding s. 456.072(2) but as specified in s. 456.50(2): 1. Committing medical malpractice as defined in s. 456.50. The board shall give great weight to the provisions of s. 766.102 when enforcing this paragraph. Medical malpractice shall not be construed to require more than one instance, event, or act. 2. Committing gross medical malpractice. 3. Committing repeated medical malpractice as defined in s. 456.50. A person found by the board to have committed repeated medical malpractice based on s. 456.50 may not be licensed or continue to be licensed by this state to provide health care services as a medical doctor in this state. Nothing in this paragraph shall be construed to require that a physician be incompetent to practice medicine in order to be disciplined pursuant to this paragraph. A recommended order by an administrative law judge or a final order of the board finding a violation under this paragraph shall specify whether the licensee was found to have committed "gross medical malpractice," "repeated medical malpractice," or "medical malpractice," or any combination thereof, and any publication by the board must so specify.

A motion was made, seconded and carried unanimously to accept the Settlement Agreement.

**Penalty imposed:** letter of concern, \$10,000 fine, costs, 5 hrs CME in risk management

**Matthew Jay Kachinas, M.D., Longboat Key, FL, Recommended Order .....30**

Dr. Kachinas was present but not represented by counsel.

Dr. Bearison and Dr. Winchester were recused due to participation on the probable cause panel.

Ms. Kiesling represented the Department and presented the cases to the Board. Allegations of the Administrative Complaint: Violation of Florida Statute s. 458.331(1)(m)(2002, 2003, 2005) – Failing to keep legible, as defined by department rule in consultation with the board, medical records that identify the licensed physician or the physician extender and supervising physician by name and professional title who is or are responsible for rendering, ordering, supervising, or billing for each

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1 diagnostic or treatment procedure and that justify the course of treatment of the patient, including,  
2 but not limited to, patient histories; examination results; test results; records of drugs prescribed,  
3 dispensed, or administered; and reports of consultations and hospitalizations and violation of Florida  
4 Statute s. 458.331(1)(t)(2002, 2003, 2005) - Notwithstanding s. 456.072(2) but as specified in s.  
5 456.50(2): 1. Committing medical malpractice as defined in s. 456.50. The board shall give great  
6 weight to the provisions of s. 766.102 when enforcing this paragraph. Medical malpractice shall not  
7 be construed to require more than one instance, event, or act. 2. Committing gross medical  
8 malpractice. 3. Committing repeated medical malpractice as defined in s. 456.50. A person found by  
9 the board to have committed repeated medical malpractice based on s. 456.50 may not be licensed or  
10 continue to be licensed by this state to provide health care services as a medical doctor in this state.  
11 Nothing in this paragraph shall be construed to require that a physician be incompetent to practice  
12 medicine in order to be disciplined pursuant to this paragraph. A recommended order by an  
13 administrative law judge or a final order of the board finding a violation under this paragraph shall  
14 specify whether the licensee was found to have committed "gross medical malpractice," "repeated  
15 medical malpractice," or "medical malpractice," or any combination thereof, and any publication by  
16 the board must so specify.

17 A motion was made, seconded and carried unanimously to reject the Respondent's exception to  
18 paragraph 20 of the Findings of Fact based on the reasons set forth by the Department.

19 A laptop computer was provided to the Respondent with all the relevant documents of the case.

20 A motion was made, seconded and carried unanimously to reject the Respondent's exception to  
21 paragraph 30 of the Findings of Fact based on the reasons set forth by the Department.

22 A motion was made, seconded and carried unanimously to reject the Respondent's exception to  
23 paragraph 32 of the Findings of Fact based on the reasons set forth by the Department.

24 A motion was made, seconded and carried unanimously to reject the Respondent's exception to  
25 paragraph 33 of the Findings of Fact based on the reasons set forth by the Department.

26 A motion was made, seconded and carried unanimously to reject the Respondent's exception to  
27 paragraph 34 of the Findings of Fact based on the reasons set forth by the Department.

28 A motion was made, seconded and carried unanimously to reject the Respondent's exception to  
29 paragraph 35 of the Findings of Fact based on the reasons set forth by the Department.

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1 A motion was made, seconded and carried unanimously to reject the Respondent's exception to  
2 paragraph 36 of the Findings of Fact based on the reasons set forth by the Department.

3 The Board took no action on the exception to paragraph 34 as it was a restatement of the above.

4 The Board took no action on the exception to paragraph 36 as it was a restatement of the above.

5 A motion was made, seconded and carried unanimously to reject the Respondent's exception to  
6 paragraph 40 of the Conclusions of Law based on the reasons set forth by the Department.

7 A motion was made, seconded and carried unanimously to reject the Respondent's exception to  
8 paragraphs 51-53 of the Conclusions of Law based on the reasons set forth by the Department.

9 Dr. Tucker objected to Findings of Fact paragraph 25 as it is not supported by evidence in the record.  
10 She stated "internal" should be replaced with "maternal".

11 A motion was made, seconded and carried unanimously to adopt the Findings of Fact as amended by  
12 Dr. Tucker.

13 A motion was made, seconded and carried unanimously to adopt the Conclusions of Law.

14 A motion was made, seconded and carried unanimously to find the Respondent violated Florida  
15 Statutes as found by the Administrative Law Judge.

16 Case number 2003-25155

17 A motion was made, seconded and carried unanimously to adopt the Recommended Order to impose  
18 a \$2,500 fine with 1 year probation under indirect supervision, 100% chart review, quarterly reports  
19 and appearances.

20 Case number 2004-19966

21 A motion was made, seconded and carried unanimously to accept the Recommended Order to  
22 impose a \$1,000 fine, probation for 1 year to run concurrent with the probation imposed in the case  
23 above with the same terms.

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1 Case number 2007-30311

2 A motion was made seconded and carried unanimously to accept the Recommended Order to impose  
3 a \$2,000 fine, probation for 1 year to run concurrent with the probations imposed in the cases above  
4 with the same terms and a revocation.

5 A motion was made, seconded and carried unanimously to assess costs in the amount of \$37,157.76.

6 **Penalty imposed:**

- 7 1) \$2,500 fine, probation for 1 year under indirect supervision, 100% chart review, quarterly  
8 reports and appearances  
9 2) \$1,000 fine, probation for 1 year under indirect supervision, 100% chart review, quarterly  
10 reports and appearances  
11 3) \$2,000 fine, probation for 1 year under indirect supervision, 100% chart review, quarterly  
12 reports and appearances; revocation  
13

14 **Robyn Anne Sayer, M.D., Hickory, NC, Settlement Agreement .....47**

15  
16 Dr. Sayer was present and represented by Bruce Lamb, Esquire.

17  
18 Dr. Chizner and Mr. Mullins were recused due to participation on the probable cause panel.  
19

20 Ms. Bates represented the Department and presented the case to the Board. Allegations of the  
21 Administrative Complaint: Violation of Florida Statute s. 458.331(1)(m)(2005) – Failing to keep  
22 legible, as defined by department rule in consultation with the board, medical records that identify  
23 the licensed physician or the physician extender and supervising physician by name and professional  
24 title who is or are responsible for rendering, ordering, supervising, or billing for each diagnostic or  
25 treatment procedure and that justify the course of treatment of the patient, including, but not limited  
26 to, patient histories; examination results; test results; records of drugs prescribed, dispensed, or  
27 administered; and reports of consultations and hospitalizations; violation of Florida Statute s.  
28 458.331(1)(q)(2005) – Prescribing, dispensing, administering, mixing, or otherwise preparing a  
29 legend drug, including any controlled substance, other than in the course of the physician's  
30 professional practice. For the purposes of this paragraph, it shall be legally presumed that  
31 prescribing, dispensing, administering, mixing, or otherwise preparing legend drugs, including all  
32 controlled substances, inappropriately or in excessive or inappropriate quantities is not in the best  
33 interest of the patient and is not in the course of the physician's professional practice, without regard

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1 to his or her intent; and violation of Florida Statute s. 458.331(1)(t)(2005) – Notwithstanding s.  
2 456.072(2) but as specified in s. 456.50(2): 1. Committing medical malpractice as defined in s.  
3 456.50. The board shall give great weight to the provisions of s. 766.102 when enforcing this  
4 paragraph. Medical malpractice shall not be construed to require more than one instance, event, or  
5 act. 2. Committing gross medical malpractice. 3. Committing repeated medical malpractice as  
6 defined in s. 456.50. A person found by the board to have committed repeated medical malpractice  
7 based on s. 456.50 may not be licensed or continue to be licensed by this state to provide health care  
8 services as a medical doctor in this state. Nothing in this paragraph shall be construed to require that  
9 a physician be incompetent to practice medicine in order to be disciplined pursuant to this paragraph.  
10 A recommended order by an administrative law judge or a final order of the board finding a  
11 violation under this paragraph shall specify whether the licensee was found to have committed  
12 "gross medical malpractice," "repeated medical malpractice," or "medical malpractice," or any  
13 combination thereof, and any publication by the board must so specify.

14  
15 A motion was made, seconded and carried unanimously to reject the Settlement Agreement.

16  
17 A motion was made, seconded and carried with 1 opposed to offer a counter proposal to impose a  
18 letter of concern, \$1,000 fine and costs.

19  
20 The Respondent accepted the counter offer.

21  
22 **Penalty imposed:** letter of concern, \$10,000 fine, costs

23  
24 **Wanda Vaughan Molloy, E.O., Hearing Not Involving Disputed Issues of Material**  
25 **Fact .....59**

26  
27 Ms. Molloy was present, but not represented by counsel.

28  
29 Dr. Espinola was recused due to participation on the probable cause panel.

30  
31 Ms. Bates represented the Department and presented the case to the Board. Allegations of the  
32 Administrative Complaint: Violation of Florida Statutes 478.52(1)(1)(2007) - Failing to perform any  
33 statutory or legal obligation placed upon an electrologist.

34  
35 A motion was made, seconded and carried unanimously to adopt the Findings of Fact.

36

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1 A motion was made, seconded and carried unanimously to adopt the Conclusions of Law.

2

3 A motion was made, seconded and carried unanimously to find the Respondent has violated Florida  
4 Statutes as charged in the Administrative Complaint.

5

6 A motion was made, seconded and carried with 1 opposed to impose a letter of concern, \$250 fine,  
7 and required to pay the assessment within 1 year.

8

9 A motion was made, seconded and carried unanimously to assess costs in the amount of \$268.71.

10

11 **Penalty imposed:** letter of concern, \$250 fine, costs, required to pay the assessment within 1 year

12

13 **Paula Moore DeGroat, E.O., Margate, FL, Settlement Agreement .....32**

14

15 Ms. DeGroat was not present nor was she represented by counsel. Ms. Sanford advised the Board  
16 Dr. Lage waived Ms. DeGroat's appearance.

17

18 Dr. Winchester and Mr. Mullins were recused due to participation on the probable cause panel.

19

20 Allegations of the Administrative Complaint: Violation of Florida Statute s. 478.52(1)(1)(2007) -  
21 Failing to perform any statutory or legal obligation placed upon an electrologist.

22

23 A motion was made, seconded and carried unanimously to accept the Settlement Agreement.

24

25 **Penalty imposed:** letter of concern, \$250 fine, costs, 25 hours community service, Laws and Rules  
26 course, required to pay assessment fee

27

28 **VOLUNTARY RELINQUISHMENTS:**

29

30 **Telethe Marie Wery, E.O., Gotha, FL .....33**

31

32 Ms. Wery was not present, nor was she represented by counsel.

33

34 Dr. Winchester and Mr. Mullins were recused due to participation on the probable cause panel.

35

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1 Allegations of the Administrative Complaint: Violation of Florida Statute s. 478.52(1)(l)(2007) -  
2 Failing to perform any statutory or legal obligation placed upon an electrologist.

3  
4 A motion was made, seconded and carried unanimously to accept the voluntary relinquishment of  
5 license.

6  
7 **Penalty imposed:** voluntarily relinquished

8  
9 **Melvin Bloom, M.D., Sarasota, FL.....34**

10  
11 Dr. Bloom was not present, nor was he represented by counsel.

12  
13 Dr. Chizner and Mr. Mullins were recused due to participation on the probable cause panel.

14  
15 Allegations of the Administrative Complaint: Violation of Florida Statute s. 456.072(1)(q)(2008) -  
16 Violating a lawful order of the department or the board, or failing to comply with a lawfully issued  
17 subpoena of the department.

18  
19 A motion was made, seconded and carried unanimously to accept the voluntary relinquishment of  
20 license.

21  
22 **Penalty imposed:** voluntarily relinquished

23  
24 **Kenneth Alan Iczkowski, M.D., Gainesville, FL .....35**

25  
26 Dr. Iczkowski was not present, nor was he represented by counsel.

27  
28 Dr. Chizner and Mr. Mullins were recused due to participation on the probable cause panel.

29  
30 Allegations of the Administrative Complaint: Violation of Florida Statute s. 458.331(1)(b)(2008) –  
31 Having a license or the authority to practice medicine revoked, suspended, or otherwise acted  
32 against, including the denial of licensure, by the licensing authority of any jurisdiction, including its  
33 agencies or subdivisions. The licensing authority's acceptance of a physician's relinquishment of a  
34 license, stipulation, consent order, or other settlement, offered in response to or in anticipation of the  
35 filing of administrative charges against the physician's license, shall be construed as action against  
36 the physician's license; violation of Florida Statute s. 458.331(1)(kk)(2008) – Failing to report to the

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1 board, in writing, within 30 days if action as defined in paragraph (b) has been taken against one's  
2 license to practice medicine in another state, territory, or country; and violation of Florida Statute s.  
3 458.331(1)(g)(2008) – Failing to perform any statutory or legal obligation placed upon a licensed  
4 physician.

5  
6 A motion was made, seconded and carried unanimously to accept the voluntary relinquishment of  
7 license.

8  
9 **Penalty imposed:** voluntarily relinquished

10  
11 **Elaine Marie Dolci-Vernon, E.O., Rickledge, FL .....36**

12  
13 Ms. Dolci-Vernon was not present, nor was she represented by counsel.

14  
15 Dr. Winchester and Mr. Mullins were recused due to participation on the probable cause panel.

16  
17 Allegation of the Administrative Complaint: Violation of Florida Statute s. 478.52(1)(1)(2007) -  
18 Failing to perform any statutory or legal obligation placed upon an electrologist.

19  
20 A motion was made, seconded and carried unanimously to accept the voluntary relinquishment of  
21 license.

22  
23 **Penalty imposed:** voluntarily relinquished

24  
25 **Marcos A. Zequeira, Jr., M.D., Miami Lakes, FL .....37**

26  
27 Dr. Zequeira was not present, nor was he represented by counsel.

28  
29 Probation cause was waived in this case.

30  
31 Allegations of the Administrative Complaint: Violation of Florida Statute s. 458.331(1)(x)(2008) -  
32 Violating a lawful order of the board or department previously entered in a disciplinary hearing or  
33 failing to comply with a lawfully issued subpoena of the department.

34  
35 A motion was made, seconded and carried unanimously to accept the voluntary relinquishment of  
36 license.

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1  
2 **Penalty imposed:** voluntarily relinquished

3  
4 **Colette L. Salpietro-Dowdell, E.O., Lake Suzy, FL.....39**

5  
6 Ms. Salpietro-Dowdell was not present, nor was she represented by counsel.

7  
8 Probable cause was waived in this case.

9  
10 Allegations of the Administrative Complaint: Violation of Florida Statute s. 478.52(1)(1)(2007) -  
11 Failing to perform any statutory or legal obligation placed upon an electrologist.

12  
13 A motion was made, seconded and carried unanimously to accept the voluntary relinquishment of  
14 license.

15  
16 **Penalty imposed:** voluntarily relinquished

17  
18 **Sara J. McDonald, E.O., Lillian, AL.....40**

19  
20 Ms. McDonald was not present, nor was she represented by counsel.

21  
22 Dr. Espinola was recused due to participation on the probable cause panel.

23  
24 Allegations of the Administrative Complaint: Violation of Florida Statute s. 478.52(1)(1)(2007) -  
25 Failing to perform any statutory or legal obligation placed upon an electrologist.

26  
27 A motion was made, seconded and carried unanimously to accept the voluntary relinquishment of  
28 license.

29  
30 **Penalty imposed:** voluntarily relinquished

31  
32 **Lisa Marie Cameron, E.O., Cooper City, FL.....41**

33  
34 Ms. Cameron was not present, nor was she represented by counsel.

35  
36 Dr. Espinola was recused due to participation on the probable cause panel.

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1  
2 Allegations of the Administrative Complaint: Violation of Florida Statute s. 478.52(1)(l)(2007) -  
3 Failing to perform any statutory or legal obligation placed upon an electrologist.

4  
5 A motion was made, seconded and carried unanimously to accept the voluntary relinquishment of  
6 license.

7  
8 **Penalty imposed:** voluntarily relinquished

9  
10 **Jeffrey Friedlander, M.D., Celebration, FL**

11  
12 Dr. Friedlander was not present, nor was he represented by counsel.

13  
14 Probable cause was waived in this case.

15 Allegations of the Administrative Complaint: Violation of Florida Statute s. 458.331(1)(nn) -  
16 Violating any provision of this chapter or chapter 456, or any rules adopted pursuant thereto;  
17 violation of Florida Statutes s. 458.331(1)(g) - Failing to perform any statutory or legal obligation  
18 placed upon a licensed physician; violation of Florida Statutes s. 458.331(1)(k) - Making deceptive,  
19 untrue, or fraudulent representations in or related to the practice of medicine or employing a trick or  
20 scheme in the practice of medicine; violation of Florida Statutes 458.331(1)(m) - Failing to keep  
21 legible, as defined by department rule in consultation with the board, medical records that identify  
22 the licensed physician or the physician extender and supervising physician by name and professional  
23 title who is or are responsible for rendering, ordering, supervising, or billing for each diagnostic or  
24 treatment procedure and that justify the course of treatment of the patient, including, but not limited  
25 to, patient histories; examination results; test results; records of drugs prescribed, dispensed, or  
26 administered; and reports of consultations and hospitalizations; violation of Florida Statutes  
27 458.331(1)(n) - Exercising influence on the patient or client in such a manner as to exploit the  
28 patient or client for financial gain of the licensee or of a third party, which shall include, but not be  
29 limited to, the promoting or selling of services, goods, appliances, or drugs; violation of Florida  
30 Statutes 458.331(1)(q) - Prescribing, dispensing, administering, mixing, or otherwise preparing a  
31 legend drug, including any controlled substance, other than in the course of the physician's  
32 professional practice. For the purposes of this paragraph, it shall be legally presumed that  
33 prescribing, dispensing, administering, mixing, or otherwise preparing legend drugs, including all  
34 controlled substances, inappropriately or in excessive or inappropriate quantities is not in the best  
35 interest of the patient and is not in the course of the physician's professional practice, without regard

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1 to his or her intent; and violation of Florida Statutes 458.331(1)(t) - Notwithstanding s. 456.072(2)  
2 but as specified in s. 456.50(2): 1. Committing medical malpractice as defined in s. 456.50. The  
3 board shall give great weight to the provisions of s. 766.102 when enforcing this paragraph. Medical  
4 malpractice shall not be construed to require more than one instance, event, or act. 2. Committing  
5 gross medical malpractice. 3. Committing repeated medical malpractice as defined in s. 456.50. A  
6 person found by the board to have committed repeated medical malpractice based on s. 456.50 may  
7 not be licensed or continue to be licensed by this state to provide health care services as a medical  
8 doctor in this state. Nothing in this paragraph shall be construed to require that a physician be  
9 incompetent to practice medicine in order to be disciplined pursuant to this paragraph. A  
10 recommended order by an administrative law judge or a final order of the board finding a violation  
11 under this paragraph shall specify whether the licensee was found to have committed "gross medical  
12 malpractice," "repeated medical malpractice," or "medical malpractice," or any combination thereof,  
13 and any publication by the board must so specify.

14 A motion was made, seconded and carried unanimously to accept the voluntary relinquishment of  
15 license.

16  
17 **Penalty imposed:** voluntarily relinquished

18  
19 **Harvey Golden, M.D., Captiva, FL .....38**

20  
21 Dr. Golden was not present, nor was he represented by counsel.

22  
23 Dr. Espinola was recused due to participation on the probable cause panel.

24  
25 Allegations of the Administrative Complaint: Violation of Florida Statute s. 458.331(1)(nn)(2007) -  
26 Violating any provision of this chapter or chapter 456, or any rules adopted pursuant thereto.

27  
28 A motion was made, seconded and carried unanimously to accept the voluntary relinquishment of  
29 license.

30  
31 **Penalty imposed:** voluntarily relinquished

32  
33 The Board expressed concern regarding filing of Administrative Complaints for CME violations  
34 against limited license physicians who are performing volunteer services. The Board referred this  
35 matter to one of the retreat meetings.

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1  
2 **FINAL ORDER COMPLIANCE ISSUES:**  
3

4 **Daniel Katz, M.D. – Request to Modify Final Order .....42**

5 Dr. Katz was present but not represented by counsel. He was requesting the Board vacate his  
6 previous Final Order which accepted a voluntary relinquishment of license.

7  
8 After discussion, a motion was made, seconded and carried unanimously to deny the request.  
9

10 **Action taken:** denied  
11

12 **Lawrence Kamhi, M.D. – Motion for Reconsideration.....43**  
13

14 Dr. Kamhi was present but not represented by counsel. He was requesting reconsideration of the  
15 Board’s previous actions against his license.

16  
17 After discussion, a motion was made, seconded and carried unanimously to deny his request.  
18

19 **Action taken:** denied  
20

21 **Michael Curtiss, M.D. – Request for reinstatement**  
22

23 Dr. Curtiss was present but not represented. He was requesting reinstatement of his license. He  
24 indicated completion of 170 hours CME as demonstration of his ability to practice with reasonable  
25 skill and safety.

26  
27 The Board recommended Dr. Curtiss undergo a PRN evaluation to ensure he is physically able to  
28 practice medicine as well as a FL CARES evaluation since he has been out of practice for a period of  
29 time.  
30

31 **Action taken:** none  
32

33 **MOTION TO VACATE FINAL ORDER:**  
34

35 **Tab 44 - Kevin Dorsett, M.D.**  
36

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1 Dr. Dorsett was present and represented by Richard Bruderson, Esquire. Mr. Bruderson explained  
2 Dr. Dorsett received temporary approval of his lecture from the Chair of the Probation Committee.  
3 He completed the lecture and subsequently, after the due date, the Committee denied formal  
4 approval of the lecture. Mr. Bruderson explained Dr. Dorsett is requesting the denial of the lecture  
5 be vacated and the lecture approved.

6  
7 A motion was made, seconded and carried unanimously to vacate the order on denial and approve  
8 the lecture.

9  
10 **Action taken:** order vacated; lecture approved

11  
12 **Tab 45 - Clyde M. Pence, M.D.**

13  
14 Dr. Pence was not present, nor was he represented by counsel.

15  
16 The Prosecuting Services Unit was requesting the Final Order against Dr. Pence be vacated on the  
17 basis the he did in fact complete his CME requirement in a timely manner.

18  
19 A motion was made, seconded and carried unanimously to vacate the order.

20  
21 **Action taken:** order vacated

22  
23 **Tab 46 - Kirsten Frederiksen, M.D.**

24  
25 Dr. Frederiksen was not present nor was she represented by counsel.

26  
27 The Prosecuting Services Unit was requesting the Final Order be vacated on the basis the she did in  
28 fact complete her CME requirement in a timely manner.

29  
30 A motion was made, seconded and carried unanimously to vacate the order.

31  
32 **Action taken:** order vacated

33  
34 Dr. Lage stated that she would be attending the Federation of State Medical Board's (FSMB) Annual  
35 Meeting later this month. She said the Board would be voting the following day on a resolution and  
36 she would take that information and vote at the FSMB meeting accordingly. She said she met with

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1 Dr. Crane, FSMB President, at the National Hispanic Medical Association Meeting who presented a  
2 discussion on cultural competency. Dr. Lage also met with Regina Benjamin, US Surgeon General,  
3 and discussed the Board's concerns regarding maintenance of licensure.  
4

5 Dr. Lage commended Dr. Chizner for being named one of America's Top Doctors for the second  
6 time. She also commended Dr. Jason Rosenberg for his time spent in Haiti as well as Dr. Steven  
7 Rosenberg for his time spent on an ethics forum during an Annual Dermatology Meeting. She stated  
8 these accomplishments along with Dr. Jason Rosenberg's article on his Haiti experience and  
9 recognition of the students would be included in the next newsletter.  
10

11 Dr. Lage then asked for an update regarding the business planning meetings.  
12

13 Mr. McPherson and Ms. Sanford explained the topics for discussion, legislative proposals and  
14 disciplinary training will be split between the June and August Board Meetings and more details  
15 would follow.  
16

17 The meeting was adjourned at 6:45 p.m.

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1 **Saturday, April 10, 2010**

2  
3 Dr. Lage was not present, so Dr. Chizner chaired.

4  
5 **8:00 a.m. ROLL CALL**

6  
7 **Members Present:**

8 Michael Chizner, M.D. – Vice Chair  
9 Steven Rosenberg, M.D. – 2<sup>nd</sup> Vice Chair  
10 H. Frank Farmer, M.D.  
11 Trina Espinola, M.D.  
12 Donald Mullins, Consumer Member  
13 Robert Nuss, M.D.  
14 Fred Bearison, M.D.  
15 Tully Patrowicz, M.D.  
16 Jason Rosenberg, M.D.  
17 George Thomas, M.D.  
18 Brigitte Goersch, Consumer Member  
19 Bradley Levine, Consumer Member

20  
21 **Staff Present:**

22 Larry McPherson, Executive Director  
23 Ed Tellechea, Board Counsel  
24 Donna McNulty, Board Counsel  
25 Nancy Murphy, Paralegal  
26 Crystal Sanford, Administrator  
27 Chandra Prine, Administrator  
28 Eulinda Smith, Public Information Officer

29  
30 **Prosecuting Attorneys:**

31 Veronica Donnelly  
32 Shirley Bates  
33 Diane Kiesling

34  
35 Mr. McPherson provided the opening remarks and summarized the various types of hearings  
36 scheduled for the day.

7 **Members Absent:**

Elisabeth Tucker, M.D.  
Onelia Lage, M.D. - Chair  
Gary Winchester, M.D.

21 **Others Present:**

Judy Rivenbark, M.D., Director,  
Practitioners Resource Network

American Court Reporting

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1  
2 **DISCIPLINARY CASE SCHEDULE:**

3  
4 The Board went through the Settlement Agreement List and identified those cases that did not need  
5 presentation since the Settlement Agreement imposed an adequate discipline.

6  
7 **Esther T. Opinion, M.D., Settlement Agreement .....48**

8  
9 Dr. S. Rosenberg was recused due to participation on the probable cause panel.

10 Allegations of the Administrative Complaint: Violation of Florida Statute s. 458.331(1)(t)(2005) -  
11 Notwithstanding s. 456.072(2) but as specified in s. 456.50(2): 1. Committing medical malpractice  
12 as defined in s. 456.50. The board shall give great weight to the provisions of s. 766.102 when  
13 enforcing this paragraph. Medical malpractice shall not be construed to require more than one  
14 instance, event, or act. 2. Committing gross medical malpractice. 3. Committing repeated medical  
15 malpractice as defined in s. 456.50. A person found by the board to have committed repeated  
16 medical malpractice based on s. 456.50 may not be licensed or continue to be licensed by this state  
17 to provide health care services as a medical doctor in this state. Nothing in this paragraph shall be  
18 construed to require that a physician be incompetent to practice medicine in order to be disciplined  
19 pursuant to this paragraph. A recommended order by an administrative law judge or a final order of  
20 the board finding a violation under this paragraph shall specify whether the licensee was found to  
21 have committed "gross medical malpractice," "repeated medical malpractice," or "medical  
22 malpractice," or any combination thereof, and any publication by the board must so specify.

23 A motion was made, seconded and carried unanimously to accept the Settlement Agreement.

24  
25 **Penalty imposed:** letter of concern, \$7,500 fine, costs, 100 hours community service, 5 hours CME  
26 in risk management, 4 hours CME in diagnosis of spinal cord injuries

27  
28 **Paul K. Perry, M.D., Plant City, FL, Settlement Agreement .....49**

29  
30 No current members were recused due to participation on the probable cause panel.

31  
32 Allegations of the Administrative Complaint: Violation of Florida Statute s. 458.331(1)(t)(2004) -  
33 Gross or repeated malpractice or the failure to practice medicine with that level of care, skill, and

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1 treatment which is recognized by a reasonably prudent similar physician as being acceptable under  
2 similar conditions and circumstances.

3  
4 A motion was made, seconded and carried unanimously to accept the Settlement Agreement.

5  
6 **Penalty imposed:** letter of concern, \$5,000 fine, costs, 75 hours community service, 5 hours CME in  
7 risk management

8  
9 **David Neal Buchalter, M.D., Delray Beach, FL, Settlement Agreement .....52**

10  
11 Dr. Espinola and Mr. Levine were recused due to participation on the probable cause panel.

12 Allegations of the Administrative Complaint: violation of Florida Statute s. 458.331(1)(t)(2005) -  
13 Notwithstanding s. 456.072(2) but as specified in s. 456.50(2): 1. Committing medical malpractice  
14 as defined in s. 456.50. The board shall give great weight to the provisions of s. 766.102 when  
15 enforcing this paragraph. Medical malpractice shall not be construed to require more than one  
16 instance, event, or act. 2. Committing gross medical malpractice. 3. Committing repeated medical  
17 malpractice as defined in s. 456.50. A person found by the board to have committed repeated  
18 medical malpractice based on s. 456.50 may not be licensed or continue to be licensed by this state  
19 to provide health care services as a medical doctor in this state. Nothing in this paragraph shall be  
20 construed to require that a physician be incompetent to practice medicine in order to be disciplined  
21 pursuant to this paragraph. A recommended order by an administrative law judge or a final order of  
22 the board finding a violation under this paragraph shall specify whether the licensee was found to  
23 have committed "gross medical malpractice," "repeated medical malpractice," or "medical  
24 malpractice," or any combination thereof, and any publication by the board must so specify.

25 A motion was made, seconded and carried unanimously to accept the Settlement Agreement.

26  
27 **Penalty imposed:** letter of concern, \$7,500 fine, costs, 25 hours community service, 3 hours CME in  
28 ensuring good stabilization of knees during total knee replacement arthroplasty, 5 hours CME in risk  
29 management

30  
31 **Leonard D. Benitez, M.D., Bay City, MI, Settlement Agreement .....53**

32  
33 Dr. Tucker and Mr. Mullins were recused due to participation on the probable cause panel.

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1 Allegations of the Administrative Complaint: violation of Florida Statute s. 458.331(1)(t)(2004) -  
2 Gross or repeated malpractice or the failure to practice medicine with that level of care, skill, and  
3 treatment which is recognized by a reasonably prudent similar physician as being acceptable under  
4 similar conditions and circumstances.

5  
6 A motion was made, seconded and carried unanimously to accept the Settlement Agreement.

7  
8 **Penalty imposed:** reprimand, \$10,000 fine, costs, 100 hours community service, 8 hours CME in  
9 gastric bypass complications, 1-hour lecture, restricted in that he must undergo a Quality Assessment  
10 review and comply when he returns to practice in Florida

11  
12 **Yale Robert Smith, M.D., Rockledge, FL, Settlement Agreement .....54**

13  
14 Dr. Thomas was recused due to participation on the probable cause panel.

15  
16 Allegations of the Administrative Complaint: violation of Florida Statute s.458.331(1)(gg)(1999) –  
17 Misrepresenting or concealing a material fact at any time during any phase of a licensing or  
18 disciplinary process or procedure; violation of Florida Statute s. 458.331(1)(a)(1999) – Attempting  
19 to obtain, obtaining, or renewing a license to practice medicine by bribery, by fraudulent  
20 misrepresentations, or through an error of the department or the board; and violation of Florida  
21 Statute s. 458.331(1)(b)(1999) – Having a license or the authority to practice medicine revoked,  
22 suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of  
23 any jurisdiction, including its agencies or subdivisions. The licensing authority's acceptance of a  
24 physician's relinquishment of a license, stipulation, consent order, or other settlement, offered in  
25 response to or in anticipation of the filing of administrative charges against the physician's license,  
26 shall be construed as action against the physician's license.

27  
28 A motion was made, seconded and carried unanimously to accept the Settlement Agreement.

29  
30 **Penalty imposed:** letter of concern, \$5,000 fine, costs, Laws and Rules course, 50 hours community  
31 service, 1-hour lecture, Count II dismissed – 458.331(1)(gg), F.S.

32  
33 **Gerard Romain, M.D., Brooksville, FL, Settlement Agreement .....55**

34  
35 This matter was originally scheduled as a Settlement Agreement Hearing. However, Dr. Romain  
36 subsequently submitted a Voluntary Relinquishment of License.

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1  
2 Dr. S. Rosenberg was recused due to participation on the probable cause panel.

3  
4 Allegations of the Administrative Complaint: Violation of Florida Statute s. 458.331(1)(x)(2008) -  
5 Violating a lawful order of the board or department previously entered in a disciplinary hearing or  
6 failing to comply with a lawfully issued subpoena of the department.

7  
8 A motion was made, seconded and carried unanimously to accept the Voluntary Relinquishment.

9  
10 **Penalty imposed:** license voluntarily relinquished

11  
12 **Sukhdev Chand Soni, M.D., Joliet, IL, Settlement Agreement .....21**

13  
14 No current members were recused due to participation on the probable cause panel.

15  
16 Allegations of the Administrative complaint: Violation of Florida Statute s. 458.331(1)(b)(2008) –  
17 Having a license or the authority to practice medicine revoked, suspended, or otherwise acted  
18 against, including the denial of licensure, by the licensing authority of any jurisdiction, including its  
19 agencies or subdivisions. The licensing authority's acceptance of a physician's relinquishment of a  
20 license, stipulation, consent order, or other settlement, offered in response to or in anticipation of the  
21 filing of administrative charges against the physician's license, shall be construed as action against  
22 the physician's license; violation of Florida Statute s. 458.331(1)(kk)(2008) – Failing to report to the  
23 board, in writing, within 30 days if action as defined in paragraph (b) has been taken against one's  
24 license to practice medicine in another state, territory, or country; and violation of Florida Statute s.  
25 458.331(1)(g)(2008) - Failing to perform any statutory or legal obligation placed upon a licensed  
26 physician.

27  
28 A motion was made, seconded and carried unanimously to accept the Settlement Agreement.

29  
30 **Penalty imposed:** letter of concern, \$7,500 fine, costs, Laws and rules course

31  
32 **Robert Latta, M.D., Sunrise, FL, Settlement Agreement .....50**

33  
34 Dr. Latta was present and represented by Bruce Lamb, Esquire.

35  
36 Dr. Espinola was recused due to participation on the probable cause panel.

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1 Ms. Kiesling represented the Department and presented the case to the Board. Allegations of the  
2 Administrative Complaint: Violation of Florida Statute s. 458.331(1)(t)(2007) - Notwithstanding s.  
3 456.072(2) but as specified in s. 456.50(2): 1. Committing medical malpractice as defined in s.  
4 456.50. The board shall give great weight to the provisions of s. 766.102 when enforcing this  
5 paragraph. Medical malpractice shall not be construed to require more than one instance, event, or  
6 act. 2. Committing gross medical malpractice. 3. Committing repeated medical malpractice as  
7 defined in s. 456.50. A person found by the board to have committed repeated medical malpractice  
8 based on s. 456.50 may not be licensed or continue to be licensed by this state to provide health care  
9 services as a medical doctor in this state. Nothing in this paragraph shall be construed to require that  
10 a physician be incompetent to practice medicine in order to be disciplined pursuant to this paragraph.  
11 A recommended order by an administrative law judge or a final order of the board finding a  
12 violation under this paragraph shall specify whether the licensee was found to have committed  
13 "gross medical malpractice," "repeated medical malpractice," or "medical malpractice," or any  
14 combination thereof, and any publication by the board must so specify.

15 A motion was made, seconded and carried unanimously to reject the Settlement Agreement.

16

17 The Board referred the expert witness in this case to the Expert Witness Committee.

18

19 A motion was made and seconded to offer a counter proposal to impose a letter of concern, \$500  
20 fine, and costs. The motion failed 4-7.

21

22 A motion was made and seconded to dismiss the case.

23

24 The Respondent agreed to waive attorney fees and costs.

25

26 The motion carried 7-4.

27

28 The Department objected to the dismissal of this case.

29

30 **Action taken:** case dismissed

31

32 **Swaroop N. Nyshadham, M.D., West Point, GA, Settlement Agreement.....51**

33

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1 Dr. Nyshadham was present and represented by John Peters, Esquire. Since Mr. Peters had not  
2 submitted a petition as a qualified representative, he was not permitted to participate in the  
3 proceedings.  
4

5 Dr. Thomas was recused due to participation on the probable cause panel.  
6

7 Ms. Kiesling represented the Department and presented the case to the Board. Allegations of the  
8 Administrative Complaint: violation of Florida Statute s. 458.331(1)(b)(2007) – Having a license or  
9 the authority to practice medicine revoked, suspended, or otherwise acted against, including the  
10 denial of licensure, by the licensing authority of any jurisdiction, including its agencies or  
11 subdivisions. The licensing authority's acceptance of a physician's relinquishment of a license,  
12 stipulation, consent order, or other settlement, offered in response to or in anticipation of the filing of  
13 administrative charges against the physician's license, shall be construed as action against the  
14 physician's license and violation of Florida Statute s. 458.331(1)(kk)(2008) – Failing to report to the  
15 board, in writing, within 30 days if action as defined in paragraph (b) has been taken against one's  
16 license to practice medicine in another state, territory, or country.  
17

18 A motion was made, seconded and carried 6-5 to reject the Settlement Agreement.  
19

20 A motion was made and seconded to offer a counter proposal to impose a letter of concern, \$2,500  
21 fine, costs, laws and rules course and prohibited from practicing in Florida until he undergoes a FL  
22 CARES evaluation and complies with the recommendations.  
23

24 An amendment was offered to suspend the license until the Alabama encumbrances are clear. The  
25 amendment was not accepted.  
26

27 The motion carried 9-2.  
28

29 The Respondent and the Department accepted the counter offer.  
30

31 **Penalty imposed:** letter of concern, \$2,500 fine, costs, laws and rules course and prohibited from  
32 practicing in Florida until he undergoes a FL CARES evaluation and complies with the  
33 recommendations  
34

35 **Moulton Keane, M.D., Settlement Agreement .....13**  
36

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1 Dr. Keane was present and represented by Monica Rodriguez, Esquire.

2

3 Dr. Winchester and Mr. Mullins were recused due to participation on the probable cause panel.

4 Ms. Bates represented the Department and presented the case to the Board. Allegation of the  
5 Administrative Complaint: Violation of Florida Statute s. 458.331(1)(t)(2005-2006) – s.  
6 458.331(1)(t)(2008-2009) – Notwithstanding s. 456.072(2) but as specified in s. 456.50(2):

7 1. Committing medical malpractice as defined in s. 456.50. The board shall give great weight to the  
8 provisions of s. 766.102 when enforcing this paragraph. Medical malpractice shall not be construed  
9 to require more than one instance, event, or act. 2. Committing gross medical malpractice.

10 3. Committing repeated medical malpractice as defined in s. 456.50. A person found by the board to  
11 have committed repeated medical malpractice based on s. 456.50 may not be licensed or continue to  
12 be licensed by this state to provide health care services as a medical doctor in this state. Nothing in  
13 this paragraph shall be construed to require that a physician be incompetent to practice medicine in  
14 order to be disciplined pursuant to this paragraph. A recommended order by an administrative law  
15 judge or a final order of the board finding a violation under this paragraph shall specify whether the  
16 licensee was found to have committed "gross medical malpractice," "repeated medical malpractice,"  
17 or "medical malpractice," or any combination thereof, and any publication by the board must so  
18 specify and violation of Florida Statute s. 458.331(1)(q)(2005-2006) – Prescribing, dispensing,  
19 administering, mixing, or otherwise preparing a legend drug, including any controlled substance,  
20 other than in the course of the physician's professional practice. For the purposes of this paragraph, it  
21 shall be legally presumed that prescribing, dispensing, administering, mixing, or otherwise preparing  
22 legend drugs, including all controlled substances, inappropriately or in excessive or inappropriate  
23 quantities is not in the best interest of the patient and is not in the course of the physician's  
24 professional practice, without regard to his or her intent.

25 Ms. Bates advised the Department and the Respondent had agreed to a new Settlement with is the  
26 same as the original Settlement with 3 changes: reprimand, USF drug course taken in 2009, risk  
27 management assessment completed in 2009.

28 A motion was made, seconded and carried unanimously to reject the Settlement Agreement.

29

30 A motion was made and seconded to offer a counter proposal to impose a reprimand, the USF drug  
31 course, risk management review, 1 year probation with indirect supervision, quarterly reports, 25%  
32 review of charts, first and last appearances along with the rest of the terms of the Settlement  
33 Agreement.

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1  
2 An amendment was offered to increase the fine to \$20,000. This amendment was accepted.

3  
4 An amendment was offered to require 100 hours community service. This amendment was  
5 accepted.

6  
7 Another amendment was offered to require the supervisor be board certified in pain management.  
8 This amendment was also accepted.

9  
10 The motion carried unanimously.

11  
12 The Respondent took 7 days to accept or reject the counter offer.

13  
14 **Action taken:** reprimand, the USF drug course, risk management review, 1 year probation with  
15 indirect supervision by a board certified physician in pain management, quarterly reports, 25%  
16 review of charts, first and last appearances, \$20,000 fine, costs, 100 hours community service

17  
18 **Jeffrey Robert Perelman, M.D., Boca Raton, FL, Settlement Agreement .....12**

19  
20 Dr. Perelman was present and represented by Bruce Lamb, Esquire.

21  
22 Dr. Patrowicz was recused due to participation on the probable cause panel.

23  
24 Ms. Bates represented the Department and presented the case to the Board. Allegations of the  
25 Administrative Complaint: Violation of Florida Statute s. 458.331(1)(m)(2008-2009) – Failing to  
26 keep legible, as defined by department rule in consultation with the board, medical records that  
27 identify the licensed physician or the physician extender and supervising physician by name and  
28 professional title who is or are responsible for rendering, ordering, supervising, or billing for each  
29 diagnostic or treatment procedure and that justify the course of treatment of the patient, including,  
30 but not limited to, patient histories; examination results; test results; records of drugs prescribed,  
31 dispensed, or administered; and reports of consultations and hospitalizations; violation of Florida  
32 Statute s. 458.331(1)(q)(2008-2009) – Prescribing, dispensing, administering, mixing, or otherwise  
33 preparing a legend drug, including any controlled substance, other than in the course of the  
34 physician's professional practice. For the purposes of this paragraph, it shall be legally presumed that  
35 prescribing, dispensing, administering, mixing, or otherwise preparing legend drugs, including all  
36 controlled substances, inappropriately or in excessive or inappropriate quantities is not in the best

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1 interest of the patient and is not in the course of the physician's professional practice, without regard  
2 to his or her intent; violation of Florida Statute s. 458.331(1)(t)(2008-2009) – Notwithstanding s.  
3 456.072(2) but as specified in s. 456.50(2): 1. Committing medical malpractice as defined in s.  
4 456.50. The board shall give great weight to the provisions of s. 766.102 when enforcing this  
5 paragraph. Medical malpractice shall not be construed to require more than one instance, event, or  
6 act. 2. Committing gross medical malpractice. 3. Committing repeated medical malpractice as  
7 defined in s. 456.50. A person found by the board to have committed repeated medical malpractice  
8 based on s. 456.50 may not be licensed or continue to be licensed by this state to provide health care  
9 services as a medical doctor in this state. Nothing in this paragraph shall be construed to require that  
10 a physician be incompetent to practice medicine in order to be disciplined pursuant to this paragraph.  
11 A recommended order by an administrative law judge or a final order of the board finding a  
12 violation under this paragraph shall specify whether the licensee was found to have committed  
13 "gross medical malpractice," "repeated medical malpractice," or "medical malpractice," or any  
14 combination thereof, and any publication by the board must so specify; and violation of Florida  
15 Statute s. 458.331(1)(nn)(2008-2009) – Violating any provision of this chapter or chapter 456, or  
16 any rules adopted pursuant thereto.

17  
18 A motion was made, seconded and carried unanimously to reject the Settlement Agreement.

19  
20 A motion was made and seconded to offer a counter proposal to impose the terms in the current  
21 Settlement and to prohibit the Respondent from prescribing HGH or testosterone and to require he  
22 undergo and comply with a FL CARES evaluation.

23  
24 An amendment was offered to require probation with indirect supervision and to impose a  
25 reprimand. The reprimand was accepted but the probation was not.

26  
27 Another amendment was offered to make the restriction from prescribing HGH and testosterone  
28 until he undergoes and complies with the recommendations, but the Board reserves jurisdiction to  
29 impose additional terms. This amendment was accepted.

30  
31 A final amendment was offered to require he come back before the Board with his FL CARES  
32 evaluation. This amendment was also accepted.

33  
34 The Respondent took 7 days to accept or reject the counter offer.

35

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1 **Action taken:** Settlement Agreement rejected; counter offer to impose a reprimand, \$40,000 fine,  
2 costs, USF drug course, FMA record keeping course, 100 hours community service, QA assessment  
3 and compliance, restriction from prescribing HGH and testosterone until he undergoes and complies  
4 with the recommendations, must present before the Board, Board reserves jurisdiction to impose  
5 additional terms  
6

7 **Craig Robert Wolff, M.D., Tampa, FL, Settlement Agreement .....31**  
8

9 Dr. Wolff was present and represented by A.S. Weekley, Jr., M.D., Esquire.  
10

11 No current members were recused due to participation on the probable cause panel.  
12

13 Ms. Kiesling represented the Department and presented the case to the Board. Allegations of the  
14 Administrative Complaint: Violation of Florida Statute s. 456.072(1)(aa)(2003) – Performing or  
15 attempting to perform health care services on the wrong patient, a wrong-site procedure, a wrong  
16 procedure, or an unauthorized procedure or a procedure that is medically unnecessary or otherwise  
17 unrelated to the patient's diagnosis or medical condition. For the purposes of this paragraph,  
18 performing or attempting to perform health care services includes the preparation of the patient and  
19 violation of Florida Statute s. 458.331(1)(nn)(2003) – Violating any provision of this chapter or  
20 chapter 456, or any rules adopted pursuant thereto.  
21

22 A motion was made, seconded and carried unanimously to accept the Settlement Agreement.  
23

24 **Penalty imposed:** letter of concern, \$10,000 fine, costs, 5 hours CME in Risk Management, FMA  
25 record keeping course, 1-hour lecture  
26

27 **BOARD COUNSEL’S REMARKS**  
28

29 **Isabella Sharpe, M.D. v. Board of Medicine**  
30

31 Mr. Tellechea explained Dr. Sharpe filed a rule challenge and a non-rule policy challenge regarding  
32 costs imposed during her disciplinary hearing. He stated the Department has filed a petition to  
33 dismiss on the basis that Dr. Sharpe failed to state the rule she was challenging and the non-rule  
34 policy she was challenging. Mr. Tellechea stated they were waiting on a ruling regarding the  
35 petition to dismiss. If a hearing is required, it will be in September. He advised he would keep the  
36 Board updated.

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1  
2 Mr. Levine left at 11:30 am.  
3

4 **BOARD DIRECTOR'S REMARKS**  
5

6 Mr. McPherson presented the draft Statement of Estimated Regulatory Costs (SERC) for 2 pain  
7 management rules: Rule 64B8-9.0131 and 64B8-9.0132, FAC.  
8

9 A motion was made, seconded and carried unanimously to find the rules will have an impact on  
10 small business and to approve both draft SERCs.  
11

12 Mr. Tellechea stated he will notice these rules and the SERCs for adoption.  
13

14 **Action taken:** SERCs approved  
15

16 Mr. McPherson summarized the FSMB Annual Report and advised it showed an upward trend  
17 regarding discipline taken by the Board in 2009. He discussed another report issued by the Public  
18 Citizen group which only looks at serious discipline and equates the best states with the highest  
19 percentage of serious disciplinary action.  
20

21 Mr. McPherson introduced a press release issued April 9<sup>th</sup> regarding changes to the web page. He  
22 stated that Administrative Complaints would now be available on the web site, but this is not a  
23 change to what is considered public record. He read the press release, including a statement by the  
24 Governor and the State Surgeon General. He explained how a person can access Administrative  
25 Complaints on the License Look-Up Screen. He also stated this is for Administrative Complaints  
26 filed after 1999 only. Administrative Complaints prior to 1999 will continue to be requested through  
27 the Central Records Unit.  
28

29 Dr. Patrowicz expressed concern of whether it is clear when the Administrative Complaint is  
30 dismissed. He also wondered if this is fair to the patients and the physician.  
31

32 Dr. Steven Rosenberg also expressed concerns about whether the site is clear regarding dismissed  
33 Administrative Complaints.  
34

35 Mr. McPherson re-read this portion of the press release.  
36

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1 Dr. Patrowicz stated he was worried that putting Administrative Complaints on the web site was  
2 unfair due to the length of time it takes to resolve these cases.

3  
4 Dr. Jason Rosenberg asked who made the decision and expressed his disagreement with the decision  
5 for the following reasons:

- 6 1. length of time to prosecute cases
- 7 2. the Board was not asked their opinion on this
- 8 3. concerned this “marks” the physician until the complaint is resolved.

9  
10 Dr. Jason Rosenberg asked Holly Miller, Esquire, representing the FMA and present in the audience,  
11 was asked to comment and she stated she would follow up.

12  
13 Mr. Mullins stated he was unhappy with this decision. He wished the Board had been asked for  
14 input.

15  
16 Dr. Espinola also disagreed with the decision to put the administrative complaints on the web site  
17 and feels patients will not understand the administrative complaint on the web page.

18  
19 Dr. Thomas Mr. McPherson if he was involved in the decision and whether this can be changed.

20  
21 Mr. McPherson indicated he was not sure about any changes but would convey their concerns to the  
22 Department.

23  
24 Dr. Steven Rosenberg suggested sending a letter to the Department on behalf of all the Boards with  
25 the concerns discussed.

26  
27 Mr. McPherson stated he could not speak for the other Boards, but would draft a letter for the  
28 Chair’s signature.

29  
30 A motion was made and seconded to draft a letter as stated.

31  
32 Another member suggested holding a workshop with all interested parties to discuss further.

33  
34 Mr. Tellechea suggested the Chair (or a representative) communicate directly with the State Surgeon  
35 General to express the Boards concerns.

36

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1 Both Dr. Patrowicz and Dr. Farmer stated sending a letter would not benefit the situation nor get a  
2 resolution the Board wants. They both recommended listening to Mr. Tellechea's advice.

3  
4 The motion was withdrawn.

5  
6 Mr. McPherson was advised to follow up at the next meeting.

7  
8 Mr. McPherson asked the Board to review the FSMB resolution regarding Board Certification and  
9 advertising.

10  
11 Dr. Thomas suggested adding an end date such as 2011 and results to be presented at the 2012  
12 annual meeting.

13  
14 Dr. Patrowicz indicated this year's annual meeting will be concerning maintenance of licensure. He  
15 reminded the members they had issued statements regarding this topic. He also stated that FSMB  
16 will pay for consumer members to attend the meeting as well.

17  
18 A motion was made, seconded and carried unanimously to approve the resolution as amended by Dr.  
19 Thomas.

20  
21 **Action taken:** FSMB resolution approved with an end date of 2011 and results presented at 2012  
22 annual meeting

23  
24 **DEPARTMENT REMARKS:**

25  
26 Ms. Donnelly presented the Prosecutors Report. She stated staff was working diligently on  
27 emergency suspension order cases.

28  
29 The members thanked PSU for their improvements and for a job well done.

30  
31 Mr. Mullins left at 12:06 p.m.

32  
33 **COUNCIL ON PHYSICIAN ASSISTANTS:**

34  
35 Dr. S. Rosenberg provided the report for the meeting held April 8, 2010.

36  
37 A motion was made, seconded and carried unanimously to approve the report.

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36

**Action taken:** report approved

**COMMITTEE REPORTS:**

**Dietetics-Nutrition/Electrolysis Committee**

Dr. Bearison presented the report for the meeting held April 9, 2010.

A motion was made, seconded and carried unanimously to approve the report.

**Action taken:** report approved

**Credentials Committee Meeting**

Dr. Thomas presented the report for the meeting held April 8, 2010.

A motion was made, seconded and carried unanimously to approve the report.

**Action taken:** report approved

**Rules/Legislative Committee Meeting**

Dr. J. Rosenberg presented the report for the meeting held April 8, 2010. He presented HB 573 which was referred to the Board.

Dr S. Rosenberg expressed his concerns stating the bill passed last year allows PA's to prescribe antipsychotic medications. He said PA's are trained in general practice and now want to go out and practice in specialty areas without a three-month period of training.

A motion was made, seconded and carried unanimously to oppose this bill.

**Action taken:** opposed

Dr. J. Rosenberg then presented SB 1256 which was also referred to the Board.

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1 Dr. Farmer explained the bill which expands the area of critical need program. He expressed  
2 concerns regarding the process of reviewing bills since bills change daily at this point in the session.  
3 He stated the Board should provide a recommendation to oppose, support or remain neutral on the  
4 bill and let staff workout the details.

5  
6 A motion was made, seconded and carried unanimously to support this bill with concerns noted by  
7 the Rules/Legislative Committee.

8  
9 **Action taken:** support with concerns outlined by Rules/Legislative Committee

10  
11 Mr. McPherson announced another press release regarding HB 225. He also stated that SB 2272 and  
12 2722 were merged. He said this seems to support Dr. Farmer's comments.

13  
14 A motion was made, seconded and carried unanimously to approve the report.

15  
16 **Action taken:** report approved

17  
18 **Specialty Credentialing Committee**

19  
20 Dr. Farmer presented the report for the meeting held April 8, 2010.

21  
22 A motion was made, seconded and carried unanimously to approve the report.

23  
24 **Action taken:** report approved

25  
26 **Probation Committee**

27  
28 Dr. Thomas presented the report for the meeting held February 27, 2010.

29  
30 He stated the case regarding Dr. Peter Harman was referred to the Board; however, no materials  
31 were provided.

32  
33 A motion was made, seconded and carried unanimously to table this matter until the next meeting.

34  
35 A motion was made, seconded and carried unanimously to approve the report.

36

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1 **Action taken:** report approved

2

3 **Expert Witness Committee**

4

5 Dr. Espinola presented the report for the meeting held April 9, 2010.

6

7 A motion was made, seconded and carried unanimously to approve the report.

8

9 **Action taken:** report approved

10

11 **APPROVAL OF MEETING MINUTES:**

12

13 **Tab 56 - February 5-6, 2010 Meeting**

14

15 A motion was made, seconded and carried unanimously to approve the minutes.

16

17 **Action taken:** minutes approved

18

19 **Tab 57 - March 3, 2010 Conference Call**

20

21 A motion was made, seconded and carried unanimously to approve the minutes.

22

23 **Action taken:** minutes approved

24

25 **Tab 58 - RATIFICATION OF APPLICANTS PURSUANT TO CHAPTER 458, F.S.**

26

27 A motion was made, seconded and carried unanimously to ratify the licensure lists.

28

29 **Action taken:** lists ratified

30

31 **NEW BUSINESS:**

32

33 Broward Health – BH’s Heart Chief, Michael A. Chizner, M.D., Named One of America’s Top  
34 Doctors, Again

35

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- 1 Cap Scan Newsletter – Congratulations to Dr. Gary Winchester Recipient of the Outstanding
- 2 Physician Award – this matter was tabled until the next meeting. The Board also wishes Dr.
- 3 Winchester well and a speedy recovering and asked staff to send a letter.
- 4
- 5 Dr. Chizner thanked the members for their time, dedication and commitment.
- 6
- 7 Mr. McPherson thanked Ms. Sanford and Ms. Prine for their hard work on this meeting.
- 8
- 9 Dr. Chizner thanked the representatives from the Attorney General’s Office for their hard work as
- 10 well.
- 11
- 12 The meeting adjourned at 12:32 p.m.