

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

**Renaissance Orlando Hotel  
5445 Forbes Place  
Orlando, FL 32812  
(407) 240-1000**

**October 1-2, 2010**

1 **Friday, October 1, 2010**

2 **8:00 a.m. ROLL CALL**

3

4 **Members Present:**

5 Onelia Lage, M.D., Chair

6 Michael Chizner, M.D., Vice Chair

7 H. Frank Farmer, M.D.

8 Trina Espinola, M.D.

9 Donald Mullins, Consumer Member

10 Robert Nuss, M.D.

11 Fred Bearison, M.D.

12 Jason Rosenberg, M.D.

13 Steven Rosenberg, M.D.

14 George Thomas, M.D.

15 Gary Winchester, M.D.

16 Brigitte Rivera Goersch, Consumer Member

17 Elisabeth Tucker, M.D.

18 Bradley Levine, Consumer Member

19

20 **Staff Present:**

21 Larry McPherson, Executive Director

22 Ed Tellechea, Board Counsel

23 Donna McNulty, Board Counsel

24 Nancy Murphy, Paralegal

25 Chandra Prine, Program Operations Adm.

26 Crystal Sanford, Program Operations Adm.

27 Whitney Bowen, Regulatory Specialist II

28 Eulinda Smith, Public Information Officer

29

30 **Prosecuting Attorneys Present:**

31 Diane Kiesling

32 Veronica Donnelly

33 Shirley Bates

34 Grace Kim

35

36 **CANCER CENTER DESIGNATION REQUEST:**

**Members Absent:**

Tully Patrowicz, M.D.

**Others Present:**

Judy Rivenbark, Director, Practitioner's  
Resource Network

American Court Reporting

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1 **Cleveland Clinic .....58**

2 Steven D. Wexner, Chief Academic Officer for Cleveland Clinic, appeared before the Board and  
3 described the clinic’s qualifications to be registered as a cancer center in Florida.

4  
5 After discussion, a motion was made, seconded and carried unanimously to table this request until  
6 Dr. Wexner can submit data to support the clinic meets the National Cancer Institute standards. He  
7 is not required to appear at the December Meeting.

8  
9 **Action taken:** tabled until additional material is submitted; schedule next meeting; appearance not  
10 required

11  
12 Mr. McPherson introduced Dr. Winchester’s son, Dr. Winchester, who was present in the audience  
13 and is a third year resident at the University of Florida.

14  
15 **DISCIPLINARY CASE SCHEDULE:**

16  
17 Mr. McPherson provided the audience with an outline of the types of hearing scheduled on the  
18 agenda.

19  
20 Ms. Donnelly apologized to the Board for the number of cases withdrawn from the agenda and  
21 provided an explanation for each case.

22  
23 The Settlement Agreement List was read to determine which Settlement Agreement were approved  
24 because the Board felt the penalties imposed were appropriate for the violations alleged.

25  
26 **Lainie Ilene Buck, PA, Gulf Breeze, FL – Settlement Agreement .....5**

27  
28 Dr. Bearison and Mr. Levine were recused.

29  
30 Allegations of the Corrected Administrative Complaint: Violation of Florida Statute s.  
31 458.331(1)(x)(2009) – Violating a lawful order of the board or department previously entered in a  
32 disciplinary hearing or failing to comply with a lawfully issued subpoena of the department and  
33 violation of Florida Statute s. 458.331(1)(nn)(2009) – Violating any provision of this chapter or  
34 chapter 456, or any rules adopted pursuant thereto.

35  
36 A motion was made, seconded and carried unanimously to accept the Settlement Agreement.

Minutes prepared by Crystal Sanford

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36

**Penalty imposed:** letter of concern, \$1,000 fine, costs, Laws and Rules course, completion of the delinquent CME

**Daniel Rothman, M.D., Pompano Beach & Tampa, FL – Settlement Agreement ....10**

Dr. Lage was recused.

Allegations of the Administrative Complaint: Violation of Florida Statute s. 456.072(1)(2006) - Performing or attempting to perform health care services on the wrong patient, wrong-site procedure, a wrong procedure, or an unauthorized procedure or a procedure that is medically unnecessary or otherwise unrelated to the patient's diagnosis or medical condition. For the purposes of this paragraph, performing or attempting to perform health care services includes the preparation of the patient.

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

**Penalty imposed:** Reprimand, \$10,000 fine, costs, 50 hours community service, Quality Assurance Assessment and compliance, required to take the CPEP or FL CARES and comply if it has been more than 6 months since last practice

**Orlando Arrazola, M.D., Homestead, FL – Settlement Agreement .....14**

Dr. Espinola and Mr. Mullins were recused.

Allegations of the Administrative Complaint: Violation of Florida Statute s. 458.331(1)(nn)(2009) – Violating any provision of this chapter or chapter 456, or any rules adopted pursuant thereto.

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

**Penalty imposed:** reprimand, \$1,000 fine, costs, 50 hours community service

**Edward Wai Wong, M.D., Eden Prairie, MN – Settlement Agreement .....16**

Dr. Thomas and Mr. Levine were recused.

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1 Allegations of the Administrative Complaint: Violation of Florida Statute s. 458.331(1)(b)(2008) -  
2 Having a license or the authority to practice medicine revoked, suspended, or otherwise acted  
3 against, including the denial of licensure, by the licensing authority of any jurisdiction, including its  
4 agencies or subdivisions.

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

7  
8 **Penalty imposed:** Letter of concern, \$1,000 fine, costs, correction to the record to indicate  
9 Respondent did notify the Department with 30 days

10  
11 **Carlos Lubin Fleming, M.D., Port St. Joe & Mexico Beach, FL – Settlement Agreement 17**

12  
13 Dr. Thomas and Mr. Levine were recused.

14  
15 Allegations of the Administrative Complaint: Violation of Florida Statute s. 458.331(1)(x)(2008) –  
16 Violating a lawful order of the board or department previously entered in a disciplinary hearing or  
17 failing to comply with a lawfully issued subpoena of the department.

18  
19 A motion was made, seconded and carried unanimously to accept the Settlement Agreement.

20  
21 **Penalty imposed:** reprimand, \$5,000 fine, costs, suspension until complies with the previous FO

22  
23 **Mary Beard Stegman, M.D., Ft. Myers, FL – Settlement Agreement .....1**

24  
25 Dr. Stegman was present and represented by Wilson Jerry Foster, Esquire.

26  
27 Dr. Farmer was recused due to participation on the probable cause panel.

28  
29 Ms. Kiesling represented the Department and presented the case to the Board. Allegations of the  
30 Administrative Complaint: Violation of Florida Statute s. 458.331(1)(m)(2000-2004) - Failing to  
31 keep legible, as defined by department rule in consultation with the board, medical records that  
32 identify the licensed physician or the physician extender and supervising physician by name and  
33 professional title who is or are responsible for rendering, ordering, supervising, or billing for each  
34 diagnostic or treatment procedure and that justify the course of treatment of the patient, including,  
35 but not limited to, patient histories; examination results; test results; records of drugs prescribed,  
36 dispensed, or administered; and reports of consultations and hospitalizations; violation of Florida

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1 Statute s. 458.331(1)(q)(2000-2004) – Prescribing, dispensing, administering, mixing, or otherwise  
2 preparing a legend drug, including any controlled substance, other than in the course of the  
3 physician's professional practice. For the purposes of this paragraph, it shall be legally presumed that  
4 prescribing, dispensing, administering, mixing, or otherwise preparing legend drugs, including all  
5 controlled substances, inappropriately or in excessive or inappropriate quantities is not in the best  
6 interest of the patient and is not in the course of the physician's professional practice, without regard  
7 to his or her intent; and violation of Florida Statute s. 458.331(1)(t)(2000-2004) - Gross or repeated  
8 malpractice or the failure to practice medicine with that level of care, skill, and treatment which is  
9 recognized by a reasonably prudent similar physician as being acceptable under similar conditions  
10 and circumstances.

11  
12 A motion was made, seconded and carried unanimously to reject the Settlement Agreement.

13  
14 A motion was made and seconded to counter with the same terms and to include the requirement to  
15 utilize triplicate prescriptions forms for controlled substances.

16  
17 The Respondent accepted the counter offer.

18  
19 **Penalty imposed:** reprimand, \$20,000 fine, costs, Laws and Rules course, USF drug course, 100  
20 hours community service, probation for 1 year with indirect supervision, 25% review of charts,  
21 quarterly reports, 1 first and last appearances, triplicate prescription forms for controlled substance  
22 prescriptions

23  
24 **Rita Abislaiman, M.D., Miami, FL – Settlement Agreement .....2**

25  
26 Dr. Abislaiman was present and represented by Phillip Goss, Esquire.

27  
28 Dr. Farmer was recused.

29  
30 Ms. Bates represented the Department and presented the case to the Board. Allegations of the  
31 Administrative Complaint: Violation of Florida Statute s. 458.331(1)(m)(2000-2004) - Failing to  
32 keep legible, as defined by department rule in consultation with the board, medical records that  
33 identify the licensed physician or the physician extender and supervising physician by name and  
34 professional title who is or are responsible for rendering, ordering, supervising, or billing for each  
35 diagnostic or treatment procedure and that justify the course of treatment of the patient, including,  
36 but not limited to, patient histories; examination results; test results; records of drugs prescribed,

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1 dispensed, or administered; and reports of consultations and hospitalizations and violation of Florida  
2 Statute s. 458.331(1)(t)(2000-2004) - Gross or repeated malpractice or the failure to practice  
3 medicine with that level of care, skill, and treatment which is recognized by a reasonably prudent  
4 similar physician as being acceptable under similar conditions and circumstances.

5  
6 A motion was made and seconded to reject the Settlement Agreement. The motion failed with only  
7 one member in support.

8  
9 A motion was made, seconded and carried with one opposed to accept the Settlement Agreement.

10  
11 **Penalty imposed:** letter of concern, \$5,000 fine, costs, USF drug course, FMA medical records  
12 course, 5 hours CME in assessment and treatment of psychiatric patients, restriction: may not treat  
13 private patients unless and until she completes the required CME

14  
15 **Elias Adib Khoury, M.D., Miami, FL – Settlement Agreement .....3**

16  
17 Dr. Khoury was present and represented by Marc Ganz, Esquire.

18  
19 Dr. Espinola and Ms. Goersch were recused.

20  
21 Ms. Bates represented the Department and presented the case to the Board. Allegations of the  
22 Administrative Complaint: Violation of Florida Statute s. 458.331(1)(t)(2000-2004) - Gross or  
23 repeated malpractice or the failure to practice medicine with that level of care, skill, and treatment  
24 which is recognized by a reasonably prudent similar physician as being acceptable under similar  
25 conditions and circumstances.

26  
27 A motion was made, seconded and carried unanimously to accept the Settlement Agreement.

28  
29 **Penalty imposed:** letter of concern, \$5,000 fine, costs, Laws and Rules course, 50 hours community  
30 service, 5 hours CME in post-operative airway management, 5 hours CME in risk management

31  
32 **Ashraf Shoukry Elsagr, M.D., Port Orange, FL – Recommended Order.....6**

33  
34 Dr. Elsagr was present and represented by Chobee Ebbets, Esquire.

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1 Dr. Chizner was recused. Dr. Farmer stated he has had discussion of this case outside of the record  
2 and recused himself from the vote.

3  
4 Dr. Lage read the Recommended Order remarks and confirmed all participating members had read  
5 the complete record.

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. 456.072(1)(bb)(2006) – Performing or  
9 attempting to perform health care services on the wrong patient, a wrong-site procedure, a wrong  
10 procedure, or an unauthorized procedure or a procedure that is medically unnecessary or otherwise  
11 unrelated to the patient's diagnosis or medical condition. For the purposes of this paragraph,  
12 performing or attempting to perform health care services includes the preparation of the patient and  
13 violation of Florida Statute s. 458.331(1)(nn)(2006) – Violating any provision of this chapter or  
14 chapter 456, or any rules adopted pursuant thereto.

15  
16 A motion was made, seconded and carried unanimously to reject the Respondent's Exception one  
17 based on the written and verbal statements by the Department.

18  
19 A motion was made, seconded and carried with seven for and five against to reject the Respondent's  
20 Exception two.

21  
22 When the Board started considering the Respondent's Exception three, the Department agreed to the  
23 removal of the word "initially" and to amend it to say "medical doctor said yes".

24  
25 A motion was made, seconded and carried unanimously to amend the Findings of Fact to reflect the  
26 changes agreed upon by the parties in Respondent's Exception three.

27  
28 A motion was made, seconded and carried unanimously to reject the Department's Exception to  
29 paragraph 30 of the Findings of Fact.

30  
31 A motion was made, seconded and carried with seven for and five against to accept the  
32 Respondent's Exception four.

33  
34 A motion was made and seconded to reject the Respondent's Exception five on based on the  
35 comments made by the Department and the Administrative Law Judge's ruling. The motion failed  
36 with five for and seven against the motion.

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1

2 A motion was made and seconded to agree to modify the language to reflect “verbal confirmation  
3 was done” and to remove “verbal confirmation” as ambiguous or more reasonable. The motion  
4 carried seven to five.

5

6 A motion was made, seconded and carried to accept the Findings of Fact as amended.

7

8 A motion was made, seconded and carried with one opposed to accept the Conclusions of Law as  
9 amended.

10

11 A motion was made, seconded and carried unanimously to reconsider the previous motion.

12

13 A motion was made and seconded to find the Respondent violated Florida Statutes. The motion  
14 failed with five for and seven against.

15

16 A motion was made, seconded and carried with four opposed to dismiss the Administrative  
17 Complaint.

18

19 A motion was made, seconded and carried unanimously to reject the Motion for Costs.

20

21 Action taken: Administrative Complaint dismissed; Motion for Costs rejected

22

23 **Jose Vincente Coba, M.D., Sunrise & Pompano Beach, FL – Settlement Agreement 7**

24

25 Dr. Coba was present and represented by Michael Rothschild, Esquire.

26

27 Dr. Winchester was recused.

28

29 Ms. Kiesling represented the Department and presented the case to the Board. Allegations of the  
30 Administrative Complaint: Violation of Florida Statute s. 456.072(1)(gg)(2007-2008) – Engaging in  
31 a pattern of practice when prescribing medicinal drugs or controlled substances which demonstrates  
32 a lack of reasonable skill or safety to patients, a violation of any provision of this chapter, a violation  
33 of the applicable practice act, or a violation of any rules adopted under this chapter or the applicable  
34 practice act of the prescribing practitioner. Notwithstanding s. [456.073](#)(13), the department may  
35 initiate an investigation and establish such a pattern from billing records, data, or any other  
36 information obtained by the department; violation of Florida Statute s. 458.331(1)(m)(2007-2008) –

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1 Failing to keep legible, as defined by department rule in consultation with the board, medical records  
2 that identify the licensed physician or the physician extender and supervising physician by name and  
3 professional title who is or are responsible for rendering, ordering, supervising, or billing for each  
4 diagnostic or treatment procedure and that justify the course of treatment of the patient, including,  
5 but not limited to, patient histories; examination results; test results; records of drugs prescribed,  
6 dispensed, or administered; and reports of consultations and hospitalizations; violation of Florida  
7 Statute s. 458.331(1)(t)(2007-2008) – Notwithstanding s. 456.072(2) but as specified in s. 456.50(2):

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

11 3. Committing repeated medical malpractice as defined in s. 456.50. A person found by the board to  
12 have committed repeated medical malpractice based on s. 456.50 may not be licensed or continue to  
13 be licensed by this state to provide health care services as a medical doctor in this state. Nothing in  
14 this paragraph shall be construed to require that a physician be incompetent to practice medicine in  
15 order to be disciplined pursuant to this paragraph. A recommended order by an administrative law  
16 judge or a final order of the board finding a violation under this paragraph shall specify whether the  
17 licensee was found to have committed "gross medical malpractice," "repeated medical malpractice,"  
18 or "medical malpractice," or any combination thereof, and any publication by the board must so  
19 specify; and violation of Florida Statute s. 458.331(1)(nn)(2007-2008) – Violating any provision of  
20 this chapter or chapter 456, or any rules adopted pursuant thereto.

21  
22 A motion was made to accept the Settlement Agreement. The motion was later withdrawn.  
23

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

26 A motion was made and seconded to offer a counter proposal to impose the same terms but to also  
27 restrict the Respondent from ever practicing in a pain-management clinic.  
28

29 An amendment was offered to modify the previous motion to limit the Respondent to primary care in  
30 lieu of restricting him from every practicing in a pain-management clinic. The amendment was  
31 accepted.  
32

33 The motion carried unanimously.  
34

35 The Respondent accepted the counter offer.  
36

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1 **Penalty imposed:** practice limited to primary care, reprimand, \$40,000 fine, costs, Laws and Rules  
2 course, USF drug course, 100 hours community service, 5 hours CME in risk management, FMA's  
3 record keeping course, 1-hour lecture on overprescribing of controlled substances, probation for one  
4 year with indirect supervision, 25% review of charts, 100% review of charts where patients were  
5 prescribed controlled substances, review all controlled substance prescriptions, quarterly reports  
6

7 **John D. Campbell, M.D., Auburndale & Winter Haven, FL – Recommended Order8**

8  
9 Dr. Campbell was present, but not represented by counsel. He withdrew his request for a  
10 continuance.

11  
12 Dr. S. Rosenberg and Mr. Levine were recused.

13  
14 Dr. Lage read the Recommended Order remarks and confirmed all participating members had read  
15 the complete record.

16  
17 Ms. Kiesling represented the Department and presented the case to the Board. Allegations of the  
18 Administrative Complaint; Violation of Florida Statute s. 458.331(1)(s)(2009) - Being unable to  
19 practice medicine with reasonable skill and safety to patients by reason of illness or use of alcohol,  
20 drugs, narcotics, chemicals, or any other type of material or as a result of any mental or physical  
21 condition.

22  
23 A motion was made, seconded and carried unanimously to reject the Respondent's Exception to  
24 paragraph ten based on the Department's oral argument and the transcript included in the record.

25  
26 A motion was made, seconded and carried unanimously to accept the Department's Motion to Strike.

27  
28 A motion was made, seconded and carried unanimously to adopt the Findings of Fact.

29  
30 A motion was made, seconded and carried unanimously to adopt the Conclusions of Law.

31  
32 A motion was made, seconded and carried unanimously to find the Respondent violated Florida  
33 Statutes as charged.

34  
35 A motion was made, seconded and carried unanimously to reject the Respondent's Exception to the  
36 penalty.

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1  
2 A motion was made, seconded and carried unanimously to adopt the Recommended Order.

3  
4 A motion was made, seconded and carried unanimously to reserve jurisdiction to impose additional  
5 terms of probation at the time of reinstatement.

6  
7 A motion was made, seconded and carried unanimously to assess costs in the amount of \$32,701.57.

8  
9 **Penalty imposed:** suspended until appears and demonstrates his ability to practice with skill and  
10 safety; probation upon reinstatement with terms of probation to be determined at that time

11  
12 **Miguel Antonio Montejo, M.D., Winter Haven, FL – Settlement Agreement .....9**

13  
14 Dr. Montejo withdrew his Settlement Agreement.

15  
16 **Norman Moskowitz, M.D., Boca Raton, FL – Settlement Agreement .....11**

17  
18 Dr. Moskowitz was present and presented by Bradford Beilly, Esquire.

19  
20 Dr. Winchester was recused.

21  
22 Ms. Kim represented the Department and presented the case to the Board. Allegations of the  
23 Administrative Complaint: Violation of Florida Statutes s. 458.331(1)(m)(2000-2004) - Failing to  
24 keep legible, as defined by department rule in consultation with the board, medical records that  
25 identify the licensed physician or the physician extender and supervising physician by name and  
26 professional title who is or are responsible for rendering, ordering, supervising, or billing for each  
27 diagnostic or treatment procedure and that justify the course of treatment of the patient, including,  
28 but not limited to, patient histories; examination results; test results; records of drugs prescribed,  
29 dispensed, or administered; and reports of consultations and hospitalizations; s. 458.331(1)(q)(2000-  
30 2004) – Prescribing, dispensing, administering, mixing, or otherwise preparing a legend drug,  
31 including any controlled substance, other than in the course of the physician's professional practice.  
32 For the purposes of this paragraph, it shall be legally presumed that prescribing, dispensing,  
33 administering, mixing, or otherwise preparing legend drugs, including all controlled substances,  
34 inappropriately or in excessive or inappropriate quantities is not in the best interest of the patient and  
35 is not in the course of the physician's professional practice, without regard to his or her intent; s.  
36 458.331(1)(t)(2000-2004) - Gross or repeated malpractice or the failure to practice medicine with

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1 that level of care, skill, and treatment which is recognized by a reasonably prudent similar physician  
2 as being acceptable under similar conditions and circumstances; s. 458.331(1)(g)(2000-2004) –  
3 Failing to perform any statutory or legal obligation placed upon a licensed physician; and s.  
4 458.331(1)(nm)(2000-2004) – Violating any provision of this chapter or chapter 456, or any rules  
5 adopted pursuant thereto.

6  
7 Ms. Kim also pointed out a scrivener’s error on page 15174 of the Board’s materials which indicated  
8 the incorrect case number.

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

11  
12 A motion was made and seconded to offer a counter proposal to impose the same terms, but to  
13 remove paragraph eight and to replace it with language that if the Florida CARES evaluation  
14 recommends more than one year of probation, the Board reserves jurisdiction to impose the  
15 recommendation; otherwise, the Respondent serves a minimum of one year probation.

16  
17 The motion carried unanimously.

18  
19 The Respondent took seven days to reject or accept the counter offer.

20  
21 **Action taken:** Settlement Agreement rejected; counter offer to impose a reprimand, \$50,000 fine,  
22 costs, USF drug course, FMA records course, 100 hours community service; prescribing restrictions:  
23 sequentially numbered duplicate prescription forms with one copy to monitor, one copy in the chart  
24 (may be Xerox copy), may never again practice in pain-management clinic, may only prescribe  
25 controlled substances to patients for orthopaedic or general medicine purposes; FL CARES  
26 evaluation and compliance; probation for a minimum of one year with indirect supervision, 25%  
27 chart review, review all controlled substance prescriptions, quarterly reports, first and last  
28 appearances; if FL CARES evaluation recommends more than one year probation, the Board  
29 reserves jurisdiction to impose the recommended length.

30  
31 **David Tindel Cummins, M.D., Ormond Beach, FL – Settlement Agreement.....12**

32  
33 Dr. Cummins withdrew from his Settlement Agreement.

34  
35 **Shaukat Hussain Chowdhari, M.D., Tampa, FL – Settlement Agreement .....13**

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1 Dr. Chowdhari was present and represented by Brian Rotella, Esquire.

2  
3 Mr. Levine was recused.

4  
5 Ms. Keisling represented the Department and presented the case to the Board. Allegations of the  
6 Administrative Complaint: Violation of Florida Statutes s. 458.331(1)(m)(2001-2005) - Failing to  
7 keep legible, as defined by department rule in consultation with the board, medical records that  
8 identify the licensed physician or the physician extender and supervising physician by name and  
9 professional title who is or are responsible for rendering, ordering, supervising, or billing for each  
10 diagnostic or treatment procedure and that justify the course of treatment of the patient, including,  
11 but not limited to, patient histories; examination results; test results; records of drugs prescribed,  
12 dispensed, or administered; and reports of consultations and hospitalizations; s. 458.331(1)(q)(2001-  
13 2005) – Prescribing, dispensing, administering, mixing, or otherwise preparing a legend drug,  
14 including any controlled substance, other than in the course of the physician's professional practice.  
15 For the purposes of this paragraph, it shall be legally presumed that prescribing, dispensing,  
16 administering, mixing, or otherwise preparing legend drugs, including all controlled substances,  
17 inappropriately or in excessive or inappropriate quantities is not in the best interest of the patient and  
18 is not in the course of the physician's professional practice, without regard to his or her intent; s.  
19 458.331(1)(t)(2001-2005) - Gross or repeated malpractice or the failure to practice medicine with  
20 that level of care, skill, and treatment which is recognized by a reasonably prudent similar physician  
21 as being acceptable under similar conditions and circumstances; and s. 458.331(1)(nn)(2001-2005) –  
22 Violating any provision of this chapter or chapter 456, or any rules  
23 adopted pursuant thereto.

24  
25 A motion was made, seconded and carried nine to four to accept the Settlement Agreement.

26  
27 **Penalty imposed:** letter of concern, \$5,000 fine, costs, 25 hours community service, Laws and Rules  
28 course, USF drug course, 1-hour lecture

29  
30 **Christopher Eric Ervin, M.D., College Park, GA – Determination of Waiver Hearing** **15**

31  
32 Dr. Ervin was not present, nor was he represented by counsel.

33  
34 No current members were recused due to participation on the probable cause panel.

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1 Ms. Bates represented the Department and presented the case to the Board. Allegations of the  
2 Administrative Complaint: Violation of Florida Statute s. 458.331(1)(x)(2007-2008) - Violating a  
3 lawful order of the board or department previously entered in a disciplinary hearing or failing to  
4 comply with a lawfully issued subpoena of the department.

5  
6 A motion was made, seconded and carried unanimously to find the Respondent waived his right to a  
7 hearing.

8  
9 A motion was made, seconded and carried unanimously to adopt the Findings of Fact.

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

12  
13 A motion was made, seconded and carried unanimously to find the Respondent violated Florida  
14 Statutes as charged in the Administrative Complaint.

15  
16 A motion was made, seconded and carried unanimously to revoke the Respondent's license.

17  
18 A motion was made, seconded and carried unanimously to assess costs in the amount of \$1,156.03.

19  
20 **Penalty imposed:** revocation, \$1,156.03 costs

21  
22 **Carla Maureen Vincent, M.D., Jacksonville, FL – Determination of Waiver Hearing18**

23  
24 This case was withdrawn from the agenda by the Prosecuting Services Unit.

25  
26 **Michael Scott Curtiss, M.D., Springfield, IL – Determination of Waiver Hearing...19**

27  
28 This case was withdrawn from the agenda by the Prosecuting Services Unit.

29  
30 **Leonor Corea, P.A., Miami & Hialeah, FL – Determination of Waiver Hearing ....20**

31  
32 Ms. Corea was not present, nor was she represented by counsel.

33  
34 Dr. Jason Rosenberg and Mr. Mullins were recused.

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1 Ms. Bates represented the Department and presented the case to the Board. Allegations of the  
2 Administrative Complaint: Violation of Florida Statutes s. 456.072(1)(x)(2007) – Failing to report to  
3 the board, or the department if there is no board, in writing within 30 days after the licensee has been  
4 convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a  
5 crime in any jurisdiction. Convictions, findings, adjudications, and pleas entered into prior to the  
6 enactment of this paragraph must be reported in writing to the board, or department if there is no  
7 board, on or before October 1, 1999 and s. 458.331(1)(c)(2007) – Being convicted or found guilty  
8 of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction  
9 which directly relates to the practice of medicine or to the ability to practice medicine.

10  
11 A motion was made, seconded and carried unanimously to find the Respondent waived her right to a  
12 hearing.

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

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

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

20  
21 A motion was made, seconded and carried unanimously to revoke the Respondent’s license.

22  
23 A motion was made, seconded and carried unanimously to assess costs in the amount of \$3,848.92.

24  
25 **Penalty imposed:** revocation, \$3,848.92 costs

26  
27 **Andrew Justin Shapiro, M.D., Lake Worth & Wellington, FL – Settlement Agreement 21**

28  
29 Dr. Shapiro was present and represented by David Spicer, Esquire.

30  
31 Dr. Farmer was recused.

32  
33 Ms. Kiesling represented the Department and presented the case to the Board. Allegations of the  
34 Administrative Complaint: Violation of Florida Statutes s. 456.072(1)(bb)(2009) – Performing or  
35 attempting to perform health care services on the wrong patient, a wrong-site procedure, a wrong  
36 procedure, or an unauthorized procedure or a procedure that is medically unnecessary or otherwise

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1 unrelated to the patient's diagnosis or medical condition. For the purposes of this paragraph,  
2 performing or attempting to perform health care services includes the preparation of the patient and  
3 s. 458.331(1)(nn)(2009) – Violating any provision of this chapter or chapter 456, or any rules  
4 adopted pursuant thereto.

5  
6 A motion was made and seconded to accept the Settlement Agreement. The motion failed 4-9.

7  
8 A motion was made and seconded to offer a counter proposal to impose the same terms but to  
9 decrease the fine to \$5,000, to decrease the community service hours to 25 hours and to require the  
10 lecture be on better communication between staff. The motion carried 9-4.

11  
12 The Respondent accepted the counter offer.

13  
14 **Penalty imposed:** letter of concern, \$5,000 fine, costs, 25 hours community service, 5 hours CME in  
15 risk management, 1-hour lecture on better communication between staff

16  
17 **Ismael Labrador, M.D., Miami, FL – Settlement Agreement .....22**

18  
19 Dr. Labrador was present and represented by Allen Grossman, Esquire.

20  
21 Dr. Chizner was recused.

22  
23 Ms. Kiesling represented the Department and presented the case to the Board. Allegations of the  
24 Administrative Complaint: Violation of Florida Statutes s. 458.331(1)(w)(2006-2007) – Delegating  
25 professional responsibilities to a person when the licensee delegating such responsibilities knows or  
26 has reason to know that such person is not qualified by training, experience, or licensure to perform  
27 them; s. 458.331(1)(f)(2006-2007) – Aiding, assisting, procuring, or advising any unlicensed person  
28 to practice medicine contrary to this chapter or to a rule of the department or the board; and s.

29 458.331(1)(t)(2006-2007) – Notwithstanding s. 456.072(2) but as specified in s. 456.50(2):

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

33 3. Committing repeated medical malpractice as defined in s. 456.50. A person found by the board to  
34 have committed repeated medical malpractice based on s. 456.50 may not be licensed or continue to  
35 be licensed by this state to provide health care services as a medical doctor in this state. Nothing in  
36 this paragraph shall be construed to require that a physician be incompetent to practice medicine in

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1 order to be disciplined pursuant to this paragraph. A recommended order by an administrative law  
2 judge or a final order of the board finding a violation under this paragraph shall specify whether the  
3 licensee was found to have committed "gross medical malpractice," "repeated medical malpractice,"  
4 or "medical malpractice," or any combination thereof, and any publication by the board must so  
5 specify.

6  
7 A motion was made, seconded and carried nine to three to accept the Amended Settlement  
8 Agreement.

9  
10 **Penalty imposed:** reprimand, \$30,000 fine, costs, Laws & Rules course, 100 hours community  
11 service, QA assessment, probation for 36 months with indirect supervision, 100% chart review,  
12 quarterly reports, first and last appearance

13  
14 Ms. Donnelly introduced new prosecuting attorneys who were present in the audience:  
15 Laura Glenn  
16 Randy Miller  
17 Jennifer Friedberg

18  
19 **Royce Hood, Jr, M.D., Deland, FL – Settlement Agreement.....23**

20  
21 Dr. Hood was present and represented by Carol Lanfri, Esquire.

22  
23 Dr. Farmer was recused.

24  
25 Ms. Kiesling represented the Department and presented the case to the Board. Allegations of the  
26 Administrative Complaint: Violation of Florida Statute s. 456.072(1)(bb)(2009) - Performing or  
27 attempting to perform health care services on the wrong patient, a wrong-site procedure, a wrong  
28 procedure, or an unauthorized procedure or a procedure that is medically unnecessary or otherwise  
29 unrelated to the patient's diagnosis or medical condition. For the purposes of this paragraph,  
30 performing or attempting to perform health care services includes the preparation of the patient.

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

33  
34 **Penalty imposed:** letter of concern, \$5,000 fine, costs, Laws & Rules course, 50 hours community  
35 service, 5 hours CME in risk management, 1-hour lecture

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**Wistar Moore, III, M.D., Ocala, FL – Settlement Agreement.....4**

Dr. Moore was present and represented by Mindy McLaughlin, Esquire.

The patient and the patient’s wife were present and also addressed the Board.

Dr. Chizner and Mr. Levine were recused.

Ms. Bates represented the Department and presented the case to the Board. Allegations of the Administrative Complaint: Violation of Florida Statute s. 456.072(1)(cc)(2008) - Leaving a foreign body in a patient, such as a sponge, clamp, forceps, surgical needle, or other paraphernalia commonly used in surgical, examination, or other diagnostic procedures. For the purposes of this paragraph, it shall be legally presumed that retention of a foreign body is not in the best interest of the patient and is not within the standard of care of the profession, regardless of the intent of the professional.

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

**Penalty imposed:** letter of concern, \$2,500 fine, costs, 25 hours community service, 1-hour lecture, 5-hours CME in risk management

**VOLUNTARY RELINQUISHMENTS:**

**Peter N. Reuter, Jr., N.C., Clearwater, FL.....25**

Mr. Reuter was not present, nor was he represented by counsel.

Probable cause was waived.

Allegations of the Administrative Complaint: Violation of Florida Statute s. 468.517(1)(d)(2009) – Give false or forged evidence to the board or a member thereof.

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

**Penalty imposed:** voluntary relinquishment accepted

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1  
2 **Oscar R. Gonzalez, M.D., Key Biscayne, FL.....26**  
3

4 Dr. Gonzalez was not present nor was he represented by counsel.

5  
6 Probable cause was waived.

7  
8 Allegations of the Administrative Complaint: Violation of Florida Statutes s. 458.331(1)(c)(2009) –  
9 Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of  
10 adjudication, a crime in any jurisdiction which directly relates to the practice of medicine or to the  
11 ability to practice medicine and s. 458.331(1)(g)(2009) – Failing to perform any statutory or legal  
12 obligation placed upon a licensed physician.

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

16  
17 **Penalty imposed:** voluntary relinquishment accepted  
18

19 **Deana Lee Jensen, E.O., Holiday, FL & Antigo, WI.....27**  
20

21 Ms. Jensen was not present nor was she represented by counsel.

22  
23 Dr. Espinola was recused.

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

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

30  
31 **Penalty imposed:** voluntary relinquishment accepted  
32

33 **Maria L. Battaglia, N.C., Miami, FL .....28**  
34

35 Ms. Battaglia was not present nor was she represented by counsel.  
36

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1 Probable cause was waived.

2

3 Allegations of the Administrative Complaint: Violation of Florida Statute s. 468.517(1)(d)(2009) –  
4 Give false or forged evidence to the board or a member thereof.

5

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

8

9 **Penalty imposed:** voluntary relinquishment accepted

10

11 **Nancy E. Highsmith, N.C., Orlando, FL.....29**

12

13 Ms. Highsmith was not present nor was she represented by counsel.

14

15 Probable cause was waived.

16

17 Allegations of the Administrative Complaint: Violation of Florida Statute s. 468.517(1)(d)(2009) –  
18 Give false or forged evidence to the board or a member thereof.

19

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

22

23 **Penalty imposed:** voluntary relinquishment accepted

24

25 **Stephen T. Cogen, M.D., Miami, FL & Portland, OR.....30**

26

27 Dr. Cogen was not present nor was he represented by counsel.

28

29 Dr. Winchester was recused.

30

31 Allegations of the Administrative Complaint: Violation of Florida Statute s. 458.331(1)(g)(8) –  
32 Failing to perform any statutory or legal obligation placed upon a licensed physician.

33

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

36

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1 **Penalty imposed:** voluntary relinquishment accepted

2  
3 **Abelardo V. Lacano, M.D., Merritt Island, FL .....31**

4  
5 Dr. Lacano was not present nor was he represented by counsel.

6  
7 Dr. Farmer was recused.

8  
9 Allegations of the Administrative Complaint: Violation of Florida Statutes s. 458.331(1)(t)(2001-  
10 2004) – Gross or repeated malpractice or the failure to practice medicine with that level of care,  
11 skill, and treatment which is recognized by a reasonably prudent similar physician as being  
12 acceptable under similar conditions and circumstances and s. 458.331(1)(m)(2003-2004) – Failing to  
13 keep legible, as defined by department rule in consultation with the board, medical records that  
14 identify the licensed physician or the physician extender and supervising physician by name and  
15 professional title who is or are responsible for rendering, ordering, supervising, or billing for each  
16 diagnostic or treatment procedure and that justify the course of treatment of the patient, including,  
17 but not limited to, patient histories; examination results; test results; records of drugs prescribed,  
18 dispensed, or administered; and reports of consultations and hospitalizations.

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

22  
23 **Penalty imposed:** voluntary relinquishment accepted

24  
25 **Thomas J. Weed, M.D., Boca Raton, FL .....32**

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

28  
29 In case number 2009-21800, Ms. Goersch was recused. Probable cause was waived in case number  
30 2007-38794. Dr. Farmer was recused in case numbers 2005-53182 & 2005-59118.

31 Allegations of the Administrative Complaint: Violation of Florida Statutes s. 458.331(1)(t)(2004-  
32 2009) – Notwithstanding s. 456.072(2) but as specified in s. 456.50(2): 1. Committing medical  
33 malpractice as defined in s. 456.50. The board shall give great weight to the provisions of s. 766.102  
34 when enforcing this paragraph. Medical malpractice shall not be construed to require more than one  
35 instance, event, or act. 2. Committing gross medical malpractice. 3. Committing repeated medical

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1 malpractice as defined in s. 456.50. A person found by the board to have committed repeated  
2 medical malpractice based on s. 456.50 may not be licensed or continue to be licensed by this state  
3 to provide health care services as a medical doctor in this state. Nothing in this paragraph shall be  
4 construed to require that a physician be incompetent to practice medicine in order to be disciplined  
5 pursuant to this paragraph. A recommended order by an administrative law judge or a final order of  
6 the board finding a violation under this paragraph shall specify whether the licensee was found to  
7 have committed "gross medical malpractice," "repeated medical malpractice," or "medical  
8 malpractice," or any combination thereof, and any publication by the board must so specify; s.  
9 458.331(1)(nn)(2005-2009) – Violating any provision of this chapter or chapter 456, or any rules  
10 adopted pursuant thereto; s. 458.331(1)(m)(2004-2009) – Failing to keep legible, as defined by  
11 department rule in consultation with the board, medical records that identify the licensed physician  
12 or the physician extender and supervising physician by name and professional title who is or are  
13 responsible for rendering, ordering, supervising, or billing for each diagnostic or treatment procedure  
14 and that justify the course of treatment of the patient, including, but not limited to, patient histories;  
15 examination results; test results; records of drugs prescribed, dispensed, or administered; and reports  
16 of consultations and hospitalizations; and s. 458.331(1)(q)(2005-2009) – Prescribing, dispensing,  
17 administering, mixing, or otherwise preparing a legend drug, including any controlled substance,  
18 other than in the course of the physician's professional practice. For the purposes of this paragraph, it  
19 shall be legally presumed that prescribing, dispensing, administering, mixing, or otherwise preparing  
20 legend drugs, including all controlled substances, inappropriately or in excessive or inappropriate  
21 quantities is not in the best interest of the patient and is not in the course of the physician's  
22 professional practice, without regard to his or her intent.

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

25

26 **Penalty imposed:** voluntary relinquishment accepted

27

28 **John Rodney Blair, M.D., Delray Beach, FL.....33**

29

30 Dr. Blair was not present nor was he represented by counsel.

31

32 Ms. Goersch was recused.

33 Allegations of the Administrative Complaint: Violation of Florida Statutes s. 458.331(1)(t)(2008-  
34 2009) – Notwithstanding s. 456.072(2) but as specified in s. 456.50(2): 1. Committing medical

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1 malpractice as defined in s. 456.50. The board shall give great weight to the provisions of s. 766.102  
2 when enforcing this paragraph. Medical malpractice shall not be construed to require more than one  
3 instance, event, or act. 2. Committing gross medical malpractice. 3. Committing repeated medical  
4 malpractice as defined in s. 456.50. A person found by the board to have committed repeated  
5 medical malpractice based on s. 456.50 may not be licensed or continue to be licensed by this state  
6 to provide health care services as a medical doctor in this state. Nothing in this paragraph shall be  
7 construed to require that a physician be incompetent to practice medicine in order to be disciplined  
8 pursuant to this paragraph. A recommended order by an administrative law judge or a final order of  
9 the board finding a violation under this paragraph shall specify whether the licensee was found to  
10 have committed "gross medical malpractice," "repeated medical malpractice," or "medical  
11 malpractice," or any combination thereof, and any publication by the board must so specify; s.  
12 458.331(1)(nn)(2008-2009) – Violating any provision of this chapter or chapter 456, or any rules  
13 adopted pursuant thereto; s. 458.331(1)(m)(2008-2009) – Failing to keep legible, as defined by  
14 department rule in consultation with the board, medical records that identify the licensed physician  
15 or the physician extender and supervising physician by name and professional title who is or are  
16 responsible for rendering, ordering, supervising, or billing for each diagnostic or treatment procedure  
17 and that justify the course of treatment of the patient, including, but not limited to, patient histories;  
18 examination results; test results; records of drugs prescribed, dispensed, or administered; and reports  
19 of consultations and hospitalizations; and s. 458.331(1)(q)(2008-2009) – Prescribing, dispensing,  
20 administering, mixing, or otherwise preparing a legend drug, including any controlled substance,  
21 other than in the course of the physician's professional practice. For the purposes of this paragraph, it  
22 shall be legally presumed that prescribing, dispensing, administering, mixing, or otherwise preparing  
23 legend drugs, including all controlled substances, inappropriately or in excessive or inappropriate  
24 quantities is not in the best interest of the patient and is not in the course of the physician's  
25 professional practice, without regard to his or her intent

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

28

29 **Penalty imposed:** voluntary relinquishment accepted

30

31 **Jean M. Ebbott, N.C., Key Biscayne, FL .....34**

32

33 Ms. Ebbott was not present nor was she represented by counsel.

34

35 Probable cause was waived.

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1  
2 Allegations of the Administrative Complaint: Violation of Florida Statute s. 468.517(1)(d)(2009) –  
3 Give false or forged evidence to the board or a member thereof.

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

7  
8 **Penalty imposed:** voluntary relinquishment accepted

9  
10 **Sonia Steinberg, E.O., Manalapan, NJ .....35**

11  
12 Ms. Steinberg was not present nor was she represented by counsel.

13  
14 Dr. Winchester and Mr. Mullins were recused.

15  
16 Allegations of the Administrative Complaint: Violation of Florida Statute s. 478.52(1)(l)(2007) –  
17 Failing to perform any statutory or legal obligation placed upon an electrologist.

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

21  
22 **Penalty imposed:** voluntary relinquishment accepted

23  
24 **Yong Am Park, M.D., Lake City, FL & Chicago, IL .....36**

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

27  
28 In case number 2008-25978, no current members recused. Probable cause was waived in case  
29 numbers 2002-31632, 2003-30620, 2005-66480, 2009-04495.

30  
31 Allegations of the Administrative Complaint: Violation of Florida Statutes s. 458.331(1)(j)(2002,  
32 2003, 2005, 2008) – Exercising influence within a patient-physician relationship for purposes of  
33 engaging a patient in sexual activity. A patient shall be presumed to be incapable of giving free, full,  
34 and informed consent to sexual activity with his or her physician; s. 458.331(1)(x)(2008) – Violating  
35 a lawful order of the board or department previously entered in a disciplinary hearing or failing to  
36 comply with a lawfully issued subpoena of the department; and s. 458.331(1)(m)(2008) – Failing to

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

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

10  
11 **Penalty imposed:** voluntary relinquishment accepted

12  
13 **Miguel Angel Canino, M.D., Miami, FL .....37**

14  
15 Dr. Canino was not present nor was he represented by counsel.

16  
17 Probable cause was waived.

18  
19 Allegations of the Administrative Complaint: Violation of Florida Statute s. 456.072(1)(c)(2009) -  
20 Being convicted or found guilty of, or entering a plea of guilty or nolo contendere to, regardless of  
21 adjudication, a crime in any jurisdiction which relates to the practice of, or the ability to practice, a  
22 licensee's profession.  
23

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

26  
27 **Penalty imposed:** voluntary relinquishment accepted

28  
29 **FINAL ORDER COMPLIANCE ISSUES:**

30  
31 **Pierre Puente, M.D. – Petition for Reinstatement .....40**

32  
33 Dr. Puente was present and represented by Allen Grossman, Esquire. Dr. Rivenbark also addressed  
34 the Board.  
35

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1 Dr. Tucker advised she knows this physician and his family and cannot be objective; therefore she  
2 recused herself.

3

4 A motion was made and seconded to deny the petition. The motion was later withdrawn.

5

6 A motion was made to reinstate his license, but not permit practice until he presents and receives  
7 approval of a practice plan to the Probationers Committee who will then make a recommendation to  
8 the Board. Dr. Puente is not required to appear at the Probation Committee, but he is required to  
9 appear before the Board. The motion carried with one opposed.

10

11 **Action taken:** reinstatement approved; not to practice until practice plan submitted to Probationers  
12 Committee for recommendation to the Board; required to appear when the practice plan is presented  
13 to the Board

14

15 **Philip Bagenski, M.D. – Referral from Probation Committee .....54**

16

17 Dr. Bagenski was not present nor was he represented by counsel. Dr. Rivenbark was present and  
18 addressed the Board.

19

20 A motion was made, seconded and carried unanimously to deny the request for early termination of  
21 probation.

22

23 **Action taken:** request for early termination of probation denied

24

25 **Hisham Hanai, M.D. – Petition for Reinstatement .....55**

26

27 Dr. Hanai was present and represented by Bruce Lamb, Esquire.

28

29 After discussion, a motion was made, seconded and carried with one opposed to reinstate the license  
30 and to grant one year to complete the CME. He is required to go through the process to request an  
31 extension of time to pay the fine.

32

33 **Action taken:** reinstated; CME due within one year

34

35 **Enoch Joseph, M.D. – Petition for Reconsideration .....56**

36

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

2

3 A motion was made, seconded and carried unanimously to deny his request for reconsideration.

4

5

6 **Action taken:** request denied

7

8 **PETITION FOR WAIVER/VARIANCE:**

9

10 **Nelida Papdimitriou, EO.....41**

11

12 This matter was tabled until the November 3, 2010 Board Conference Call.

13

14 The meeting adjourned at 6:40 p.m.

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1 **Saturday, October 2, 2010**

2 **10:06 a.m. ROLL CALL**

3

4 **Members Present:**

5 Onelia Lage, M.D., Chair

6 Michael Chizner, M.D., Vice Chair

7 H. Frank Farmer, M.D.

8 Trina Espinola, M.D.

9 Donald Mullins, Consumer Member

10 Robert Nuss, M.D.

11 Fred Bearison, M.D.

12 Jason Rosenberg, M.D.

13 Steven Rosenberg, M.D.

14 George Thomas, M.D.

15 Brigitte Rivera Goersch, Consumer Member

16 Elisabeth Tucker, M.D.

17 Bradley Levine, Consumer Member

18

19 **Staff Present:**

20 Larry McPherson, Executive Director

21 Ed Tellechea, Board Counsel

22 Donna McNulty, Board Counsel

23 Nancy Murphy, Paralegal

24 Chandra Prine, Program Operations Adm.

25 Crystal Sanford, Program Operations Adm.

26 Whitney Bowen, Regulatory Specialist II

27 Eulinda Smith, Public Information Officer

28

29 **Prosecuting Attorneys Present:**

30 Diane Kiesling

31 Veronica Donnelly

32 Grace Kim

33

34 **DISCIPLINARY CASE SCHEDULE:**

35

**Members Absent:**

Tully Patrowicz, M.D.

Gary Winchester, M.D.

**Others Present:**

Judy Rivenbark, Director, Practitioner's  
Resource Network

American Court Reporting

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1 Mr. McPherson provided the audience with an outline of the types of hearing scheduled on the  
2 agenda.

3  
4 The Settlement Agreement List was read to determine which Settlement Agreement were approved  
5 because the Board felt the penalties imposed were appropriate for the violations alleged.

6  
7 **DISCIPLINARY CASE SCHEDULE CONTINUED:**

8  
9 **Mark Lorenzo Romney, M.D., Longwood, FL – Settlement Agreement .....44**

10  
11 Dr. Steven Rosenberg and Mr. Levine were recused.

12 Allegations of the Administrative Complaint: Violation of Florida Statutes s. 458.331(1)(t)(2005) - s.  
13 456.072(2) but as specified in s. 456.50(2): 1. Committing medical malpractice as defined in s.  
14 456.50. The board shall give great weight to the provisions of s. 766.102 when enforcing this  
15 paragraph. Medical malpractice shall not be construed to require more than one instance, event, or  
16 act. 2. Committing gross medical malpractice. 3. Committing repeated medical malpractice as  
17 defined in s. 456.50. A person found by the board to have committed repeated medical malpractice  
18 based on s. 456.50 may not be licensed or continue to be licensed by this state to provide health care  
19 services as a medical doctor in this state. Nothing in this paragraph shall be construed to require that  
20 a physician be incompetent to practice medicine in order to be disciplined pursuant to this paragraph.  
21 A recommended order by an administrative law judge or a final order of the board finding a  
22 violation under this paragraph shall specify whether the licensee was found to have committed  
23 "gross medical malpractice," "repeated medical malpractice," or "medical malpractice," or any  
24 combination thereof, and any publication by the board must so specify; and s. 458.331(1)(m)(2005)  
25 – Failing to keep legible, as defined by department rule in consultation with the board, medical  
26 records that identify the licensed physician or the physician extender and supervising physician by  
27 name and professional title who is or are responsible for rendering, ordering, supervising, or billing  
28 for each diagnostic or treatment procedure and that justify the course of treatment of the patient,  
29 including, but not limited to, patient histories; examination results; test results; records of drugs  
30 prescribed, dispensed, or administered; and reports of consultations and hospitalizations.

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

32 **Penalty imposed:** letter of concern, \$7,000 fine, costs, FMA record keeping course, 50 hours  
33 community service

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1

2 **Robert Babak Hashemiyoan, M.D., Beverly Hills, CA – Settlement Agreement .....24**

3

4 Dr. Lage was recused.

5

6 Allegations of the Administrative Complaint: Violation of Florida Statutes s. 458.331(1)(b)(2007) –  
7 Having a license or the authority to practice medicine revoked, suspended, or otherwise acted  
8 against, including the denial of licensure, by the licensing authority of any jurisdiction, including its  
9 agencies or subdivisions; s. 458.331(1)(kk)(2007) – Failing to report to the board, in writing, within  
10 30 days if action as defined in paragraph (b) has been taken against one's license to practice  
11 medicine in another state, territory, or country; and s. 456.072(1)(w)(2007) – Failing to comply with  
12 the requirements for profiling and credentialing, including, but not limited to, failing to provide  
13 initial information, failing to timely provide updated information, or making misleading, untrue,  
14 deceptive, or fraudulent representations on a profile, credentialing, or initial or renewal licensure  
15 application.

16

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

18 **Penalty imposed:** reprimand, \$5,000 fine, costs, update practitioner profile

19 **John R. Habib, M.D., Oakland Park, FL – Settlement Agreement .....42**

20

21 This case was continued until the next meeting.

22

23 **Michael Patrick Graham, M.D., Orlando, FL – Settlement Agreement .....43**

24 This case was withdrawn by Prosecution Services Unit.

25 **Chirag Narayan Amin, M.D., Corona, CA – Settlement Agreement.....45**

26

27 This case was continued until the next meeting.

28

29 **Andrew Cade Messer, M.D., Clearwater, FL – Settlement Agreement .....46**

30

31 Dr. Messer was present and represented by Carol Lanfri, Esquire.

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1  
2 No current members were recused due participation on the probable cause panel.  
3

4 Ms. Keisling represented the Department and presented the case to the Board. Allegations of the  
5 Administrative Complaint: Violation of Florida Statute s. 456.072(1)(cc)(2006) - Leaving a foreign  
6 body in a patient, such as a sponge, clamp, forceps, surgical needle, or other paraphernalia  
7 commonly used in surgical, examination, or other diagnostic procedures. For the purposes of this  
8 paragraph, it shall be legally presumed that retention of a foreign body is not in the best interest of  
9 the patient and is not within the standard of care of the profession, regardless of the intent of the  
10 professional.

11  
12 A motion was made, seconded and carried unanimously to reject the Settlement Agreement.  
13

14 The Respondent agreed to waive attorney fees and costs.  
15

16 A motion was made, seconded and carried with one opposed to dismiss the Administrative  
17 Complaint.  
18

19 **Action taken:** Administrative Complaint dismissed  
20

21 Mr. McPherson introduced Mr. Powers, former member of the Board of Pharmacy and his wife who  
22 has served on multiple boards including the Psychology Board, Board of Nursing and the 491  
23 Boards, who were present in the audience.  
24

25 **Lori Joseph Fresh, E.O., Palm Harbor & Dunedin, FL – Settlement Agreement.....47**  
26

27 Ms. Fresh was not present, nor was she represented by counsel. Dr. Rivenbark was present and  
28 addressed the Board. She advised Ms. Fresh stated she would not come to this meeting.  
29

30 Dr. Winchester and Mr. Mullins were recused.  
31

32 Ms. Kiesling represented the Department and presented the case to the Board. Allegations of the  
33 Administrative Complaint: Violation of Florida Statutes s. 478.52(1)(c)(2007) - Being convicted or  
34 found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime, in any  
35 jurisdiction, which directly relates to the practice of electrology.  
36

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1 Ms. Kiesling stated the Settlement Agreement has two items that will be impossible for Ms. Fresh to  
2 comply with the requirements. She said her license was null and void, but she still had a license as a  
3 respiratory therapist and is in compliance with PRN.

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

6  
7 Ms. Keisling was advised to bring the case back as an informal hearing.

8  
9 **Action taken:** Settlement Agreement rejected

10  
11 **PETITION FOR DECLARATORY STATEMENT:**

12  
13 **Christina Goldberg, Esquire RE: Rule 64B8-10.003, FAC.....60**

14  
15 Ms. Sanford advised Ms. Goldberg requested this item be rescheduled for the December Board  
16 Meeting.

17  
18 A motion was made, seconded and carried unanimously to table until the December Board Meeting.

19  
20 **Action taken:** tabled until December Meeting

21  
22 **DISCUSSION ITEMS:**

23  
24 **Pain-Management Proposed Rule 64B8-9.0131, FAC**

25 Mr. McPherson summarized the issues presented in that morning's Rule Hearing. The issues  
26 included:

- 27 • Adding specialty areas to the training requirements
- 28 • Removing the requirement for annual quality assessments
- 29 • Physicians performing physical examination
- 30 • Define pain-management specifically as it is related to advertising

31  
32 Ms. McNulty stated the Board received a letter from JAPC with some clean up items to address as  
33 well.

34  
35 Dr. Tucker stated she did not want to add specialties to the training requirements because there are  
36 other avenues for a physician to qualify to practice in a pain-management clinic.

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1  
2 Dr. Espinola agreed stating that these professionals should refer patients to pain specialists just like  
3 they would any other specialty area.  
4

5 Mr. Levine suggested sending a letter to the Board of Osteopathic Medicine asking them to  
6 reconsider the additional of specialty areas to their rule.  
7

8 Dr. Farmer opined the specialties should be added to be consistent with the Board of Osteopathic  
9 Medicine's rule.  
10

11 Dr. Tucker agreed to include Hospice and Palliative Care in the rule but physicians with other  
12 specialty areas will have to the other mechanisms to qualify.  
13

14 Ms. Goersch stated there are approximately 5,000 Osteopathic Physicians and 55,000 Medical  
15 doctors in Florida and that makes them different. In addition, their training is different. She said it  
16 would be nice to be consistent, but differences do exist.  
17

18 Dr. S. Rosenberg stated there is not a lot of difference in training, but medical doctors probably have  
19 more access to pain-management fellowships.  
20

21 Dr. Nuss stated an Osteopathic Physician can attend Allopathic training. He added that Hospice Care  
22 did not include non-malignant pain-management.  
23

24 Dr. Bearison expressed concern because of disciplinary cases which have shown physician's get into  
25 trouble for various reasons and they are board certified pain physicians.  
26

27 Ms. McNulty stated the residency areas added to the Board of Osteopathic Medicine rule are Internal  
28 Medicine, Family Practice, and Orthopedics, and it added Certificates of Added Qualifications for  
29 Hospice, Palliative Medicine or Geriatric Medicine.  
30

31 Mr. Tellechea reminded the Board that regardless of specialty all physicians will be required to  
32 comply with the standards of care or be disciplined. He stressed the importance of getting these  
33 rules in place.  
34

35 Dr. Lage agreed that specialty areas do not matter. Good physicians and the prescription monitoring  
36 data bank will help stop pill mills. She believes there may be an access to care issue.

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1  
2 Dr. Tucker stated the Board has seen cases where the family practitioner is over prescribing for pain  
3 and the Board rejected their training because they were not board certified.

4  
5 Ms. Goersch recommended this issue be sent back to the Joint Committee.

6  
7 Ms. McNulty stated the Board of Osteopathic Medicine rule will be effective in November 2010.

8  
9 Mr. Tellechea suggested if the Board needed more evidence before making a decision, the training  
10 requirements could be extricated from the rule so that the rest of it can move forward with adoption.

11  
12 A motion was made and seconded to add family medicine, internal medicine and orthopaedics to the  
13 list of approved residency programs. The motion failed four to nine.

14  
15 A motion was made, seconded and carried unanimously to extricate the training requirements and to  
16 move forward with the remainder of the rule.

17  
18 Mr. Tellechea stated he would remove the training requirements from the Rule.

19  
20 Mr. McPherson summarized the physical examination issue.

21  
22 Mr. Tellechea stated the Board had no authority over the ARNPs. He explained the law requires the  
23 physician to do the physical examination, but other law allows physicians to delegate to PAs those  
24 duties in which the PA is trained.

25  
26 Dr. Espinola reminded the Board PAs cannot prescribe or dispense controlled substances, but they  
27 can do the exam. She explained physicians are giving pre-signed prescriptions to their PAs to write  
28 prescriptions.

29  
30 Mr. Tellechea reminded the Board that pre-signed prescriptions are illegal; the physician must be  
31 present.

32  
33 Mr. McPherson read suggested language that would clarify the issue for the pain-management rule.

34  
35 Mr. Tellechea explained law no longer requires so-signature of records signed by PAs.

36

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1 Ms. Goersch stated she talked to the attorney that helped write SB 2272 which states the physician  
2 should perform the examination. She asked about the Legislative intent of this portion of the law  
3 and was told the intent was for the physician to do the examination.

4  
5 Ms. McNulty stated it was in law that the physician is responsible for the actions of the PA.

6  
7 Dr. Farmer asked if ARNPs can work in a pain-management clinic.

8  
9 Mr. Tellechea advised the Board of Nursing would have to make a decision regarding that matter.

10  
11 After more discussion, Mr. McPherson suggested coming up with some language so the Board can  
12 take action now on this issue.

13  
14 Dr. Tucker suggested clarifying the PA can do the examination, but the prescription must be written  
15 and/or dispensed by the physician and the physician must review the examination prior to issuing a  
16 prescription or dispensing a medication.

17  
18 Dr. Farmer stated it was redundant, but makes it clear.

19  
20 A motion was made, seconded and carried with two opposed to add language that clarifies this issue  
21 as suggested by Dr. Tucker.

22  
23 Mr. Tellechea stated he would draft the language and bring it back to the Board at a later date. He  
24 explained he wanted to get the rest of the rule moved forward first.

25  
26 Mr. McPherson summarized the quality assessment issued presented at the Rule Hearing. He  
27 reminded the Board currently all pain-management clinics are going to undergo an inspection by the  
28 Department because no national accrediting organizations have been approved.

29  
30 Mr. Tellechea advised the Board they had two options;

- 31 1. Delete the requirement for the annual quality assessment
- 32 2. Change the requirement to be less often than annually

33  
34 Dr. Bearison suggested letting the risk manager make the determination of how often the clinic  
35 needs to undergo an assessment.

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1 Dr. S. Rosenberg suggested requiring the assessment only if the clinic fails the Department  
2 inspection.

3  
4 Ms. McNulty reminded the Board Dr. Tracy addressed two points on this issue. She also reminded  
5 the Board the annual quality assurance assessment and the annual Department inspections were two  
6 different things.

7  
8 A motion was made, seconded and carried unanimously to require the quality assessment be due  
9 every three years.

10  
11 Mr. McPherson summarized the request to define acute/chronic pain-management services.

12  
13 Dr. S. Rosenberg stated the issue is really with advertising.

14  
15 Mr. Tellechea reminded the Board the statute defines chronic non-malignant pain. He said he does  
16 not believe has the authority to define any other term. He said he would discuss this matter further  
17 with the Department attorney.

18  
19 A motion was made, seconded and carried unanimously to have Mr. Tellechea follow up on this  
20 issued with the Department attorney.

21  
22 Ms. McNulty summarized the concerns outlined by JAPC. The corrections were on page 5 of the  
23 rule:

- 24 1. Change “from” to “to”
- 25 2. Change “to” to “from”

26  
27 A motion was made, seconded and carried unanimously to make the changes requested by JAPC.

28  
29 A motion was made, seconded and carried unanimously to grant Mr. Tellechea authority to notice  
30 this rule for development.

31  
32 **FINAL ORDER COMPLIANCE ISSUES:**

33  
34 **Jose Valladares, M.D. – Petition for Reinstatement .....38**

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1 Dr. Valladares was present and represented by Allen Grossman, Esquire. He was also accompanied  
2 by his proposed monitor, Alberto Penalvar, M.D. Dr. Rivenbark was also present and addressed the  
3 Board. Mr. Grossman reminded the Board Dr. Valladares was restated pending approval of a  
4 practice plan.

5  
6 A motion was made and seconded to approve the practice plan including the provision to voluntarily  
7 withdraw from practice. His monitor was approved and probationary terms included direct  
8 supervision, life long probation, quarterly appearances, and quarterly reports. He may request  
9 termination of probation after at least five years. The supervisor must appear before the Probation  
10 Committee two times per year.

11  
12 An amendment was offered to not allow for early termination of probation. No action was taken on  
13 this amendment.

14  
15 Another amendment was offered to require two polygraphs per year to be given by PRN. If he fails,  
16 it will be considered a violation of probation. This amendment was also accepted.

17  
18 The motion carried unanimously.

19  
20 **Action taken:** practice plan approved; life long probation with direct supervision, agreement to  
21 withdraw from practice if required, quarterly appearances, quarterly reports, monitor must appear  
22 twice per year, may petition for termination of probation after five years, required to undergo  
23 polygraphs twice per year by PRN

24  
25 **Guido Spangler, M.D. – Petition for Termination of Probation .....39**

26  
27 Dr. Spangler was present and represented by Allen Grossman, Esquire.

28  
29 After discussion, a motion was made, seconded and carried unanimously to terminate probation.

30  
31 **Action taken:** probation terminated

32  
33 **COUNCIL ON PHYSICIAN ASSISTANTS:**

34  
35 Dr. S. Rosenberg provided the report for the meeting held September 30, 2010.

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1 Ms. McNulty explained the Council voted to deny Jack Schollard licensure for failing to appear,  
2 however, subsequent to the meeting it was determined Mr. Schollard was not properly noticed for  
3 the meeting. She explained this matter will go back before the Council at the next meeting.  
4

5 A motion was made, seconded and carried unanimously to accept the amended report.  
6

7 **Action taken:** amended report accepted  
8

9 **COMMITTEE REPORTS:**

10  
11 **Pain Clinic Standards of Practice Joint Committee**

12 Dr. Bearison gave the report for the meeting held September 10, 2010.  
13

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

16 **Action taken:** report approved  
17

18 **Credentials Committee Meeting**

19 Dr. Thomas gave the report for the meeting held September 30, 2010.  
20

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

23 **Action taken:** report approved  
24

25 **Rules/Legislative Committee Meeting**

26 Dr. Jason Rosenberg provided the report for the meeting held September 30, 2010.  
27

28 A motion was made, seconded and carried unanimously to approve the report.  
29

30 **Action taken:** report approved  
31

32 **Surgical Care/Quality Assurance Committee**

33 Dr. Espinola provided the report for the meeting held September 30, 2010.  
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 **Revisit Jose Valladares, M.D. – Petition for Reinstatement.....38**

4 Mr. Grossman requested clarification of the Board’s previous action. He explained Dr. Valladares  
5 would like to complete his training; however, the current terms of probation would prohibit him  
6 from doing so. He wanted to know if the Board would allow him to come back before the Board to  
7 request approval to complete a residency program.

8

9 A motion was made to amend the previous motion to include a tolling provision that would toll  
10 certain terms of probation at the discretion of the Board so Dr. Valladares can do a residency  
11 program. There was no second to the motion.

12

13 Dr. Tucker stated her previous motion allowed for him to come back before the Board for changes to  
14 the probation terms.

15

16 A motion was made and seconded to allow him to come back to the Probation Committee to request  
17 changes to his probation.

18

19 An amendment was offered to require that he appear before the Board for this request in lieu of the  
20 Probation Committee. This amendment was accepted.

21

22 The motion carried unanimously.

23

24 **Action taken:** previous motion clarified to allow Dr. Valladares to return to the Board to request  
25 changes to his probationary terms

26

27 **Dietetics/Nutrition & Electrolysis Committee**

28 Mr. Levine provided the report for the meeting held September 30, 2010 and the conference call held  
29 September 8, 2010.

30

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

32

33 **Action taken:** report approved

34

35 **Expert Witness Committee**

36

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1 Dr. Tucker provided the report for the meeting held September 30, 2010.

2

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

4

5 **Action taken:** report approved

6

7 **Anesthesiology Assistant Committee Meeting**

8 Dr. Jason Rosenberg provided the report for the meeting held September 30, 2010.

9

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

11

12 **Action taken:** report approved

13

14 **Finance & Statistics Committee Conference Call .....51**

15 Mr. Mullins provided the report for the conference call held July 16, 2010.

16

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

18

19 Mr. Mullins stated he would present the report by the Government Accounting Office regarding  
20 International Medical Graduates.

21

22 **Action taken:** report approved

23

24 **Probation Committee Meeting .....51**

25 The minutes for the August 27, 2010 meeting were included in the agenda materials.

26

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

28

29 **Action taken:** report approved

30

31 **Lecture Discussion**

32 This matter has been rescheduled for the December Board meeting.

33

34 Action taken: reschedule for December Board Meeting

35

36 **APPROVAL OF MEETING MINUTES:**

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1  
2 **August 6-7, 2010 Meeting.....52**

3 The minutes were not on the DVD. They will be rescheduled for the December Meeting.

4  
5 **Action taken:** minutes rescheduled for December meeting

6  
7 **BOARD DIRECTOR’S REMARKS**

8 Dr. Chizner stated he attended the Annual Board Chair’s Meeting with the Department staff. He  
9 said it was very informative and described some of the day’s discussions.

10  
11 A motion was made, seconded and carried unanimously to accept the verbal report.

12  
13 **Action taken:** verbal report accepted

14  
15 **RATIFICATION OF APPLICANTS PURSUANT TO CHAPTER 458, F.S.....53**

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

17  
18 **Action taken:** lists ratified

19  
20 **DEPARTMENT REMARKS:**

21 Ms. Donnelly summarized the Prosecution Services Report which was handed out to the members at  
22 the meeting. She also updated the Board on attorney vacancies in the office.

23  
24 No action taken.

25  
26 **BOARD CHAIR’S REMARKS**

27  
28 **Telemedicine .....48**

29 Dr. Lage reminded the Board the Telemedicine Task Force Report was sent out and asked if this was  
30 a topic the Board wished to open for discussion. She stated she would forward the Federation of  
31 State Medical Board’s power point presentation on this topic. She also asked if the Board would be  
32 interested in entertaining a presentation on this subject by the Chair of the Virginia Board of  
33 Medicine. The Board agreed they would be interested.

34  
35 **Board of Medicine collaboration with Florida Medical Schools to Teach Professionalism and**  
36 **Ethics**

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1 Dr. Lage summarized her research in determining the number of schools that teach professionalism  
2 and ethics as part of the medical school curriculum. She advised she was going to encourage  
3 medical schools to have students attend meetings as part of the curriculum, for example University  
4 of Central Florida medical students can attend a meeting in Orlando.

5  
6 No action necessary.

7  
8 **Lectures**

9 Dr. Lage reminded members about doing presentations every opportunity. She said the consumer  
10 members can give presentations to other consumers about how to obtain information about their  
11 doctor.

12  
13 No action necessary.

14  
15 Ms. Goersch asked if there was a way to get wrong site surgery information back to the hospitals.

16  
17 Ms. Donnelly advised PSU had compiled a listing of all cases involving wrong site surgeries and  
18 foreign body cases from 1993 forward. She was asked to provide the data to the Surgical Care  
19 Committee.

20  
21 Dr. J. Rosenberg left at 1:45 p.m.

22  
23 **BOARD COUNSEL'S REMARKS**

24 Mr. Tellechea provided an update on the case of the Presidential Women's Center versus the Board  
25 of Medicine. He explained the Petitioner's had amended their motion and a hearing had been  
26 scheduled. If the motion is denied, Mr. Tellechea will have an update at the next meeting.

27  
28 Mr. Tellechea provided an update on Sharpe versus the Board of Medicine which is a rule challenge  
29 to the cost issue. He said the petition had been amended and sent back to the Division of  
30 Administrative Hearings; a hearing is pending.

31  
32 **FEDERATION OF STATE MEDICAL BOARDS:**

- 33     • Call for Bylaws Amendments  
34     • Call for Nominations

35 This information was provided for information only.

36

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- 1 NEW BUSINESS:
- 2 Dr. S. Rosenberg asked if the Board wanted to discuss the issue of certain information on the
- 3 practitioner profile such as being terminated from an HMO, maintenance of licensure issues and
- 4 sexual offender alerts.
- 5
- 6 Dr. Farmer reminded the Board Mr. Tellechea advised most of those items were already on the
- 7 profile.
- 8
- 9 The meeting adjourned at 1:55 p.m.