

**MINUTES**  
**PUBLIC PORTION OF THE**  
**NORTH PROBABLE CAUSE AGENDA**  
**BOARD OF MEDICINE**  
**SCHEDULED FOR December 17, 2010**

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

Dr. Georges El-Bahri, M.D., Chairman, called the public portion of the meeting of the Probable Cause Panel to order at 2:02 P.M. Those present for the meeting included the following:

**Members Present:**

Georges El-Bahri, M.D. – Chairperson  
H. Frank Farmer, M.D. – Panel Member  
Donald Mullins – Panel Member  
Jayne Mittan, P.A. – Panel Member

**Others Present included:**

Ed Tellechea, Esq., Assistant Attorney General & Board Counsel  
Shirley Bates, Department of Health  
Laura Glenn, Department of Health  
David Pius, Department of Health  
Sharmin Hibbert, Department of Health  
Michael San Fillippo, Department of Health  
Robert Milne, Department of Health  
Elana Jones, Department of Health  
Elin Erickson, Department of Health  
Kristen Griswold, Department of Health  
Jennifer Friedberg, Department of Health  
Carol Gregg, Department of Health  
Susan Salamy, Department of Health

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

**Opening Remarks:**

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

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

## **RECONSIDERATIONS**

**Subject Name:**

**Case No.:**

**Action:**

**RN-01**

**Anthony Rogers, M.D.**

**2004-03387**

**Tabled**

Prosecution Services presented this case involving an alleged violation of 458.331(1)(t)(m), F.S., involving failure to practice medicine with that level of care, skill, and treatment which is recognized by a reasonably prudent similar physician as being acceptable under similar conditions and circumstances and failing to keep legible, medical records. This case was previously brought before the panel as an Administrative Complaint and has been brought back as a reconsideration for dismissal due to further review of the record by a new department expert who opined that the Subject met the standard of care. The panel discussed the circumstances of the case and dismissal.

Following discussion by the panel, a motion was made and seconded to dismiss the case. The panel voted to dismiss the case.

**Action taken:** the panel voted to dismiss the case

**RN-02**

**Melvin Propis, M.D.**

**2008-08496**

**Dismiss**

Prosecution Services presented this case involving an alleged violation of 458.331(1)(w), F.S., involving delegating professional responsibilities to a person when the licensee delegating such responsibilities knows or has reason to know that such person is not qualified by training, experience, or licensure to perform them. This case was previously brought before the panel as an Administrative Complaint and has been brought back as a reconsideration for dismissal due to the fact that the individual delegated by the Subject to perform professional responsibilities was in fact authorized to do so. The panel discussed the circumstances of the case and dismissal.

Following discussion by the panel, a motion was made and seconded to dismiss the case. The panel voted to dismiss the case.

**Action taken:** the panel voted to dismiss the case

The meeting adjourned at 2:28 p.m.