

## PROBATION AND COMPLIANCE REVIEW

### **Tab 3 - Andrew Guidry, DO - Petition for Reinstatement**

Dr. Guidry was present and represented by Allen Grossman, Esq. Dr. Ziegler with PRN was also present. During the discussion, Dr. Ziegler indicated that PRN could not advocate for practice at this time.

**Action Taken:** Dr. Rose moved to deny the request for reinstatement. Dr. St. Louis seconded the motion, which passed unanimously.

### **Tab 4 - Robert Reppy, DO- Request for Extension**

Dr. Reppy was present without counsel. Dr. Reppy was requesting an extension of time to repay the fines and costs associated with his case.

**Action Taken:** Dr. Rose moved to grant an extension and allow payment of \$300.00 a month. Dr. St. Louis seconded the motion, which passed unanimously.

## DISCIPLINARY CASES

### **Tab 5 - Daniel P. McIntire, DO - Motion for Determination of Waiver - Case #2012-02702**

This case was pulled from the agenda.

### **Tab 6 - Glenn Charles, DO- Settlement Agreement- DOH Case #'s 2010-18446, 2010-22474 & 2013-01279**

Allegations of Complaint: 456.072(1)(j)- aiding unlicensed activity; 456.072(1)(c)- convicted of a crime related to the practice

Dr. Charles was present and represented by Gregory Chaires, Esq. Dr. Bellingar was recused due to participation on the probable cause panel. Ms. Green represented the Department and presented the case to the Board. Kenneth Woliner, MD, the complainant was present and offered testimony to the Board.

**Action Taken:** After much discussion, Dr. Hayden moved to reject the settlement agreement as presented. Dr. Rose seconded the motion, which passed unanimously. There was a motion to offer the following counter settlement agreement:

- Letter of Concern
- \$10,000.00 Fine
- \$9855.04 in Costs
- FMA Laws and Rules course
- UF Drug course
- Restitution to the patient in the amount of \$11,800.00
- Probation for 3 years to include: indirect monitor; quarterly reports; 25% chart review or active patients and 100% chart review of cases involving HGH or HGC; annual appearances; appearance with monitor during the first and last meeting prior to termination of probation

The motion was seconded and passed unanimously.

The Respondent was given 7 days to accept or reject the counter settlement agreement.

## 15 minute break

### **Tab 7 - David Simon, DO- Settlement Agreement- DOH Case #2012-00680**

Allegations of Complaint: 459.015(1)(pp)- violating a law or rule of the board by violating 459.0141 (sexual misconduct); 459.015(1)(l)- exercising influence for the purpose of engaging in sexual misconduct

Dr. Simon was present and represented by David Spicer, Esq. Ms. Malan was recused due to participation on the probable cause panel. Ms. Green represented the Department and presented the case to the Board.

**Action Taken:** After much discussion, Dr. Rose moved to reject the settlement agreement as presented. Dr. Bellingar seconded the motion, which passed unanimously. Dr. Rose then moved to offer the following counter settlement agreement: revocation. Dr. Burns seconded the motion, which passed with Dr. Hayden opposed.

**Additional Action Taken:** Dr. Rose moved to assess costs in the amount of \$4085.54 as part of the counter settlement agreement. Dr. St. Louis seconded the motion, which passed unanimously.

**Tab 8 - Ralph Birzon, DO- Voluntary Relinquishment- DOH Case #2013-04499**

Allegations of Complaint: 456.072(1)(q)- violating an order of the board

The respondent was not present or represented by counsel. Ms. Malan was recused due to participation on the probable cause panel. Ms. Green represented the Department and presented the case to the Board.

**Action Taken:** Dr. Burns moved to accept the voluntary relinquishment of licensure. Dr. Rose seconded the motion, which passed unanimously.

**Tab 9 - Eldon Dale Brandt, DO- Voluntary Relinquishment- DOH Case #2011-16980**

Allegations of Complaint: 456.072(1)(c)- convicted of a crime related to the practice

The respondent was not present or represented by counsel. Dr. Bellingar was recused due to participation on the probable cause panel. Ms. Green represented the Department and presented the case to the Board.

**Action Taken:** Dr. Burns moved to accept the voluntary relinquishment of licensure. Dr. Rose seconded the motion, which passed unanimously.

**APPLICATIONS FOR LICENSURE**

**Tab 10 - John F. Caruso, DO**

Dr. Caruso was present and represented by Raymond Iryami, Esq. Dr. Caruso was required to appear before the Board to discuss his application, training evaluations and criminal history. During discussion, it was suggested that Dr. Caruso attempt to satisfactorily complete a residency program prior to obtaining full licensure. Dr. Caruso indicated for the record that he wished to withdraw his application.

**Action Taken:** After much discussion, Dr. Burns moved to allow the withdrawal of the application. Dr. Hayden seconded the motion, which passed unanimously.

**Tab 11 - Bradley J. Vargo, DO**

Dr. Vargo was present without counsel. Dr. Vargo was required to appear before the Board to discuss his application and lack of part 3 of the NBOME exam.

**Action Taken:** After discussion, Dr. Burns moved to grant the license with the following condition:

- Prior to licensure and within 12 months he must pass the COMVEX exam

Dr. Hayden seconded the motion, which passed unanimously.