

Quarterly Management Report

The Florida Department of Health

SECOND QUARTER | Fiscal Year 2009-2010

FLORIDA PAIN MANAGEMENT CLINIC REGISTRATION BEGINS DECEMBER 16

The Florida Department of Health (DOH) announced today that the registration process for pain management clinics will begin December 16. The deadline for registration is January 4, 2010. Pain management clinic registration is now required based on the 2009 passage of Senate Bill 462, requiring pain management facilities that primarily engage in the treatment of pain by prescribing or dispensing narcotic medications to register the facility with DOH.

Beginning December 16, applications will be available to download and print by clicking on the Pain Clinic Registration and Inspection link from the Florida Board of Medicine website at www.doh.state.fl.us/mqa/medical. Completed applications should be returned with a cashier's check or money order for \$150.00 (payable to: Florida Department of Health) to the address listed in the application instructions.

Medical doctors (MDs) and osteopathic physicians (DOs) may be disciplined if they practice in a pain management facility that is required to register with DOH and has not done so. To determine if a clinic is required to register,

clinic owners, as well as MDs and DOs, can review Section 458.309(4) through (6), Florida Statutes (F.S.), and Section 459.005(3) through (5), F.S. Florida Statutes, a copy of the new law, as well as Frequently Asked Questions and Answers about the Pain Clinic Registration and Inspection Program are also available at the Florida Board of Medicine website.

The mission of DOH and MQA is to promote, protect and improve the health of all people in Florida. Working in conjunction with 22 boards and six councils, MQA regulates seven types of facilities and 200-plus license types in more than 40 health care professions. MQA evaluates the credentials of all applicants for licensure, issues licenses, analyzes and investigates complaints, inspects facilities, assists in prosecuting practice act violations, combats unlicensed activity and provides credential and discipline history about licensees to the public. Visit <http://www.flhealthsource.com> for additional information about MQA.

Board & Council Appointments October 1, 2009 - December 31, 2009

NAME	BOARD OR COUNCIL
Kevin Christie II	Athletic Training
Barry D. Clements	Athletic Training
David Frisby	Athletic Training
Brandon Harris	Athletic Training
Anthony Pass	Athletic Training
Michele Morgan	Clinical Laboratory Personnel
Judy Norcia	Clinical Laboratory Personnel
Dean Willis	Clinical Laboratory Personnel
Paul K. Boyev	Speech-Language Pathology and Audiology
Peter Johnson	Speech-Language Pathology and Audiology
Joseph Naulty	Speech-Language Pathology and Audiology
Barry Pendry	Speech-Language Pathology and Audiology
Stephen Steck	Speech-Language Pathology and Audiology

Department Of Health Joint Investigation Leads To Arrest In St. Lucie County

The Florida Department of Health (DOH) South Florida Unlicensed Activity Unit (ULA) announced today that its joint investigation with the St. Lucie County Sheriff's Office (SLSO), led to the December 17, 2009 arrest of Robert Relyea in connection with the unlicensed practice of a healthcare profession (massage). The charge is a third degree felony and is punishable by up to five years in prison.

The SLSO discovered that Mr. Relyea had been advertising massage services on the popular Internet classified ad website "Craigslis" under the "therapeutic services" section. Further investigation by DOH revealed that Relyea is not licensed to practice massage in the state of Florida and his Port Saint Lucie residence (the alleged location of his business) is not a licensed massage establishment. An e-mail exchange between a DOH undercover investigator and Relyea established that he was charging \$40.00 for a 90 minute full body massage performed at his home.

On November 9, 2009 a joint SLSO/DOH undercover operation was conducted at Relyea's residence. During the operation, an undercover SLSO detective obtained a massage from Relyea in exchange for the \$40.00 fee. On December 17, 2009 armed with a search warrant obtained with information gathered from the November 9th operation, investigators returned to Relyea's home, obtained a second massage, and then placed Relyea under arrest. A search of his residence resulted in the seizure of computers, a massage table, and various other materials related to the practice of massage.

Relyea was transported to the St. Lucie County jail where he was subsequently released on \$4,000.00 bail.

DOH has several resources to combat unlicensed activity:

Consumers are encouraged to use DOH's Web site www.flhealthsource.com where they can conveniently view the license information of their health care practitioner.

Complaints may be filed anonymously by completing and mailing the form on the DOH Web site or calling 1-877-HALT-ULA (1-888-419-3456) to have a form mailed to you.

The Florida Department of Health's (DOH) unlicensed activity program protects Florida residents and visitors from the potentially serious and dangerous consequences of receiving medical and health care services from an unlicensed person. The Division of Medical Quality Assurance (MQA) investigates and refers for prosecution all unlicensed health care activity complaints and allegations. The unlicensed activity unit works in conjunction with law enforcement and the state attorney's offices to prosecute individuals practicing without a license. In many instances, unlicensed activity is a felony level criminal offense. More importantly, receiving health care from unlicensed people is dangerous and could result in further injury, disease or even death.

The mission of DOH and MQA is to promote, protect and improve the health of all people in Florida. Working in conjunction with 22 boards and six councils, MQA regulates seven types of facilities and 200-plus license types in more than 40 healthcare professions. MQA evaluates the credentials of all applicants for licensure, issues licenses, analyzes and investigates complaints, inspects facilities, assists in prosecuting practice act violations, combats unlicensed activity and provides credential and discipline history about licensees to the public. Visit <http://www.flhealthsource.com> for additional information about MQA.

SECOND QUARTER

ULA Statistics

COMPLAINTS RECEIVED	151
REFERRED FOR INVESTIGATION	129
INVESTIGATIONS COMPLETED	113
CEASE AND DESISTS ISSUED	38
REFERRALS TO LAW ENFORCEMENT	62
ARRESTS	22

ULA Finances

July 1, 2009 - December 31, 2009

BEGINNING CASH BALANCE	\$ 6,356,261
REVENUES	\$ 1,181,978
EXPENDITURES	\$ 597,742
ENDING CASH BALANCE	\$ 6,940,497

To Report Unlicensed Activity call:
1-877-HALT-ULA

Practitioner Regulation Quarterly Summary

October 1, 2009 - December 31, 2009

BOARD	COMPLAINTS RECEIVED	LEGALLY SUFFICIENT	INVESTIGATIONS COMPLETED	CITATIONS ISSUED	DISMISSED BY PANEL	PC FOUND	PC FOUND DISMISSED	FINAL ORDERS	ULA COMPLAINTS	CONSUMER SERVICES	INVESTIGATIVE SERVICES	PROSECUTION SERVICES	TOTAL SERVICES
ACUPUNCTURE	6	1	1	0	8	1	3	0	1	4	9	17	30
ANESTHESIOLOGY ASSISTANTS	0	0	0	0	0	0	0	0	0	0	0	0	0
ATHLETIC TRAINERS	3	3	4	0	3	0	1	0	0	3	0	5	8
CERTIFIED NURSING ASST	494	171	160	2	189	136	8	90	4	149	107	488	744
CERTIFIED SOCIAL WORKERS	0	0	0	0	0	0	0	0	0	0	0	0	0
CHIROPRACTIC MEDICINE	79	37	25	1	11	18	2	11	0	49	28	141	218
CLINICAL LAB PERSONNEL	11	8	5	14	0	5	0	3	1	7	3	17	27
CLINICAL SOCIAL WORKERS	10	2	2	0	3	1	1	2	4	0	5	18	23
DENTAL HYGIENISTS	8	3	6	0	0	0	0	1	1	6	2	9	17
DENTAL LABORATORIES	2	1	3	0	0	1	0	0	2	1	2	9	12
DENTISTRY	280	87	93	4	68	27	1	18	13	141	104	266	511
DIETETICS AND NUTRITION	0	0	0	0	1	0	0	0	5	0	7	1	8
DRUGS, DEVICES & COSMETICS	72	66	67	0	22	0	0	31	0	6	90	158	254
ELECTROLYSIS	10	10	14	23	9	21	0	22	0	12	3	82	97
ELECTROLYSIS FACILITIES	0	0	0	0	0	0	0	0	0	0	2	4	6
EMERGENCY MEDICAL TECH	50	19	19	0	0	2	1	5	0	12	15	93	120
HEARING AID SPECIALISTS	22	8	5	0	9	1	0	0	3	24	3	16	43
MARRIAGE & FAMILY THERAPISTS	7	4	2	2	0	1	0	0	0	1	4	4	9
MASSAGE ESTABLISHMENTS	51	42	38	2	3	19	2	17	31	15	62	83	160
MASSAGE THERAPY	71	46	46	1	16	52	5	61	25	26	95	170	291
MEDICAL PHYSICISTS	56	50	7	24	3	0	1	2	0	20	0	7	27
MEDICINE	1,842	459	360	122	414	64	13	93	14	848	351	1,428	2,627
MENTAL HEALTH COUNSELORS	26	15	13	4	5	8	0	4	12	9	12	42	63
MIDWIFERY	4	2	4	0	0	0	0	0	0	4	2	12	18

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Practitioner Regulation Quarterly Summary (cont'd)

BOARD	COMPLAINTS RECEIVED	LEGALLY SUFFICIENT	INVESTIGATIONS COMPLETED	CITATIONS ISSUED	DISMISSED BY PANEL	PC FOUND	PC FOUND DISMISSED	FINAL ORDERS	ULA COMPLAINTS	CONSUMER SERVICES	INVESTIGATIVE SERVICES	PROSECUTION SERVICES	TOTAL SERVICES
NATUROPATHIC MEDICINE	0	0	0	0	0	0	0	0	0	0	0	0	0
NURSING - ARNP	69	17	38	1	26	4	2	12	0	33	11	67	111
NURSING - LPN	237	146	139	0	94	92	14	64	2	118	65	363	546
NURSING - RN	393	225	262	27	105	143	6	85	3	186	108	622	916
NURSING HOME ADMINISTRATORS	30	2	4	1	0	0	0	5	0	15	1	16	32
OCCUPATIONAL THERAPY	19	14	2	2	0	2	0	8	3	19	5	14	38
OPTICAL ESTABLISHMENTS	3	1	0	0	0	0	0	0	1	2	3	0	5
OPTICIANRY	9	2	4	3	0	0	0	5	1	1	3	6	10
OPTOMETRY	6	2	7	1	1	2	0	1	0	5	2	25	32
OPTOMETRY BRANCH OFFICES	0	0	0	0	0	0	0	0	0	0	0	0	0
ORTHOTISTS & PROSTHETISTS	3	2	4	0	0	0	0	0	3	1	4	27	32
OSTEOPATHIC MEDICINE	155	42	43	3	38	19	0	10	1	89	23	232	344
PAIN MANAGEMENT CLINICS	0	0	0	0	0	0	0	0	0	0	0	0	0
PARAMEDICS	48	26	22	0	0	4	4	4	0	13	21	195	229
PHARMACIES	107	65	64	3	44	24	0	3	8	18	67	171	256
PHARMACISTS	133	73	70	8	50	29	1	16	3	42	67	238	347
PHYSICAL THERAPY	26	12	14	0	6	8	0	6	5	6	17	46	69
PHYSICIAN ASSISTANTS	138	138	16	10	9	2	0	5	0	42	9	52	103
PODIATRIC MEDICINE	32	7	10	0	13	6	0	17	0	11	6	39	56
PSYCHOLOGY	26	7	9	0	2	2	0	2	0	9	12	40	61
RADIOLOGIC TECHNOLOGY	30	27	22	0	2	5	1	16	0	25	2	38	65
RESPIRATORY CARE	84	80	5	1	1	7	2	6	0	74	2	28	104
SCHOOL PSYCHOLOGY	0	0	0	0	0	0	0	0	0	0	0	2	2
SPEECH-LANGUAGE PATH/AUDIO	3	2	3	0	8	1	1	10	1	4	3	7	14
TOTAL FOR ALL BOARDS	4,655	1,924	1,612	259	1,163	707	69	635	147	2,050	1,337	5,298	8,685