

# Quarterly Management Report

The Florida Department of Health

SECOND QUARTER | Fiscal Year 2011-2012

## FLORIDA DEPARTMENT OF HEALTH ISSUES FIVE EMERGENCY SUSPENSION ORDERS

### – Action taken against licenses of five practitioners –

On November 3rd, the Florida Department of Health (DOH) announced the Emergency Suspension Orders (ESO) of five practitioners. The ESOs immediately suspended the practitioners' licenses to practice in Florida.

"Practitioners must appropriately follow the rules and regulations and provide professional health care services to Florida's citizens and visitors," stated Florida Surgeon General Dr. Frank Farmer. "If they choose not to comply, appropriate disciplinary action will be taken, such as suspending licenses."

Over the past week the following orders were issued:

Robert Frederick Cefola, Registered Respiratory Therapist, Palm Beach Gardens. Cefola violated Florida Statutes when he sold 21 grams of marijuana and 106 Percocet tablets to a confidential informant.

Stephanie M. Jerome, Registered Nurse, Naples. Jerome violated Florida Statutes by engaging in unprofessional conduct by testing positive for any drugs under Chapter 893, Florida Statutes, on her drug screen when she did not have a prescription and legitimate medical reason for using such drug.

Augusto Gabriel Lizarazo, Medical Doctor, Lynbrook, New York. Lizarazo violated Florida Statutes by failing to practice medicine in accordance with the level of care, skill and treatment recognized in general law related to health care licensure by prescribing excessive or inappropriate quantities and doses of controlled substances and without justification or performing an adequate evaluation of patients and failing to obtain a complete medical history for patients, conduct adequate physical examinations or meaningful evaluations of patients, set forth an adequate treatment plan for patients, refer

patients to evaluations or consultations with specialists or other treatment providers, perform a periodic review of the treatment of patients and adequately monitor or refer patients for diversion or substance abuse.

Elio Madan, Medical Doctor, Jacksonville. Madan violated Florida Statutes by pleading guilty and being adjudicated guilty of one count of knowingly, willfully and intentionally combining, conspiring, confederating and agreeing with other persons who are known and unknown to distribute and possess with the intent to distribute Oxycodone.

Niver Placeres, Registered Nurse, Opa Locka. Placeres violated Florida Statutes by pleading guilty to one count of executing a scheme to defraud Medicare to obtain, by means of materially false and fraudulent pretenses, money and property owned by and under the custody and control of Medicare, in violation of Title 18 U.S.C., Section 1347.

View the complete Order listed above on DOH's Online Newsroom at:

<http://newsroom.doh.state.fl.us/category/healthcare-licensing/>

Emergency suspension or restriction orders are not considered final agency action but are imposed as specified by section 456.074, Florida Statutes, for serious violations relating to the commission of crimes, standard of care, drug use, or for student loan defaults. The subject is entitled to a hearing before final action is taken by a regulatory board or by DOH.

To learn more about the Florida Department of Health visit:  
[www.doh.state.fl.us](http://www.doh.state.fl.us)

## Board & Council Appointments October 1, 2011 - December 31, 2011

NAME	BOARD OR COUNCIL
Daniel Gesek	Dentistry
Leonard Connors	Nursing
Lavigne Kirkpatrick	Nursing
Joel Rose	Osteopathic Medicine
Ronald Burns	Osteopathic Medicine/ Physician Assistants
Leo Fallon	Pharmacy
Debra Glass	Pharmacy

# FIVE MIAMI PHARMACIES ORDERED TO STOP OPERATING

*- Two year multi-agency investigation identifies pill mill scam -*

On October 14, the Florida Department of Health (DOH) suspended five pharmacy permits, immediately ordering the pharmacies and the entire staff to cease operations, based on investigative findings in partnership with the United States Drug Enforcement Agency (DEA) that the pharmacy owner and its pharmacists dispensed controlled substances, other than in the course of the professional practice of pharmacy.

"Florida's law enforcement and public health leaders remain committed to our ongoing effort to end the criminal distribution of prescription drugs, and I thank them for their great work," said Governor Rick Scott. "Removing the sources of these drugs is essential to saving lives and stopping this scourge on our communities."

Four of the five Miami pharmacies are owned by Aiman Aryan, a licensed pharmacist. The pharmacies operate under the business name of Robert's Drug Store and are responsible for purchasing more than 1.6 million pills of oxycodone-based medications starting January 1 through June 30, 2011.

"The severity of this epidemic cannot be overstated," said Dr. Farmer. "DOH is committed to suspending and revoking the licenses of unscrupulous practitioners and pharmacies who inappropriately prescribe highly addictive controlled substances to patients, with the hopes of stopping countless senseless deaths in our state."

Further investigative efforts revealed that the pharmacies had "recruiters" who would pick up Medicare "patients" and drive them various doctor's offices who would write a prescription to the patient for a controlled substance without a legitimate medical purpose and without performing a physical examination of the patient. After obtaining the prescription, the

patient was transported to one of the four Robert's Drug Stores to have the prescription filled. The recruiters paid the patients \$600 for their medications that usually consisted of 720 pills per patient. When the prescription was brought to one of the Robert's Drug Stores, Mr. Aryan would pay the recruiters in cash for bringing patients to his pharmacies to have prescriptions filled.

The four pharmacies owned by Aryan also worked under the business names of Pharmacy One Inc. and Izz & Sons, Inc.

At the same time today, Pharmalife Consultant Inc., was also issued an emergency suspension order mandating the pharmacy permit be suspending after an investigation revealed that the pharmacy filled over 150 fraudulent prescriptions accounting for 23,500 oxycodone pills.

The ESOs were issued as a result of investigative assistance provided by the Drug Enforcement Agency (DEA), US Department of Health and Human Services (HHS), United States Attorney's Office, Miami-Dade Police Department and the Broward County Sheriff's Office.

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## SECOND QUARTER

### ULA Statistics

COMPLAINTS RECEIVED	144
REFERRED FOR INVESTIGATION	106
INVESTIGATIONS COMPLETED	183
CEASE AND DESISTS ISSUED	47
REFERRALS TO LAW ENFORCEMENT	86
ARRESTS	3

### ULA Finances

July 1, 2011 - December 31, 2011

BEGINNING CASH BALANCE	\$ 7,955,409
REVENUES	\$ 1,217,880
EXPENDITURES	\$ 704,588
ENDING CASH BALANCE	\$ 8,468,701

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

# Practitioner Regulation Quarterly Summary

October 1, 2011 - December 31, 2011

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	17	3	5	0	2	1	0	0	5	14	3	16	<b>33</b>
ANESTHESIOLOGY ASSISTANTS	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
ATHLETIC TRAINERS	0	1	1	0	0	0	0	0	0	0	0	1	<b>1</b>
CERTIFIED NURSING ASST	535	157	165	0	76	73	2	149	1	189	80	364	<b>633</b>
CERTIFIED SOCIAL WORKERS	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
CHIROPRACTIC MEDICINE	53	30	15	2	12	13	3	13	3	59	21	122	<b>202</b>
CLINICAL LABORATORY PERSONNEL	8	8	8	7	0	0	0	3	1	6	3	14	<b>23</b>
CLINICAL SOCIAL WORKERS	37	7	9	1	7	6	2	2	0	7	5	26	<b>38</b>
DENTAL HYGIENISTS	3	7	2	0	0	1	0	1	0	1	7	10	<b>18</b>
DENTAL LABORATORIES	1	0	1	0	0	0	0	0	0	0	4	2	<b>6</b>
DENTISTRY	374	67	73	0	43	29	5	18	9	186	47	217	<b>450</b>
DIETETICS AND NUTRITION	5	0	2	0	1	3	0	0	6	4	13	8	<b>25</b>
DRUGS, DEVICES & COSMETICS	0	0	0	0	0	0	0	0	0	0	14	349	<b>363</b>
ELECTROLYSIS	7	5	3	0	5	0	4	4	0	4	0	6	<b>10</b>
ELECTROLYSIS FACILITIES	0	0	0	0	0	0	1	0	1	0	2	0	<b>2</b>
EMERGENCY MEDICAL TECHNICIAN	51	37	7	0	12	9	0	3	0	44	4	122	<b>170</b>
HEARING AID SPECIALISTS	12	0	4	0	0	0	0	0	2	5	4	19	<b>28</b>
MARRIAGE & FAMILY THERAPISTS	6	2	5	0	5	0	0	2	2	3	8	10	<b>21</b>
MASSAGE ESTABLISHMENTS	41	14	8	0	4	11	8	20	10	14	28	50	<b>92</b>
MASSAGE THERAPY	62	30	31	0	27	42	5	36	16	41	32	169	<b>242</b>
MEDICAL PHYSICISTS	1	2	3	3	0	0	0	0	0	0	1	3	<b>4</b>
MEDICINE	1774	381	312	83	309	110	25	112	24	1074	277	1028	<b>2,379</b>
MENTAL HEALTH COUNSELING	27	12	17	1	12	11	0	2	5	14	23	57	<b>94</b>
MIDWIFERY	1	1	1	0	0	8	1	0	0	4	3	12	<b>19</b>
NATUROPATHIC MEDICINE	0	0	0	0	0	0	0	0	0	0	1	0	<b>1</b>

# 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
NURSING - ARNP	59	24	24	0	16	8	0	11	0	29	20	49	98
NURSING - LPN	258	154	110	0	32	62	5	96	0	167	36	286	489
NURSING - RN	378	244	229	0	73	127	5	174	2	202	96	568	866
NURSING HOME ADMINISTRATORS	28	5	4	0	4	1	0	4	0	42	6	9	57
OCCUPATIONAL THERAPY	53	41	8	9	0	1	2	1	0	38	3	18	59
OPTICAL ESTABLISHMENTS	1	1	4	0	0	0	0	0	6	0	9	6	15
OPTICIANRY	3	0	0	0	0	0	0	4	1	4	0	13	17
OPTOMETRY	13	2	1	0	0	0	0	0	1	7	4	9	20
OPTOMETRY BRANCH OFFICES	1	0	1	0	0	0	0	0	0	1	0	1	2
ORTHOTISTS & PROSTHETISTS	4	1	4	0	0	1	1	4	7	2	3	8	13
OSTEOPATHIC MEDICINE	167	44	36	0	15	11	3	14	1	94	37	201	332
PAIN MANAGEMENT CLINICS	30	13	16	0	28	4	4	0	12	2	54	30	86
PARAMEDICS	39	30	10	0	22	12	2	10	0	23	11	172	206
PHARMACIES	128	63	47	1	33	12	3	4	3	35	55	144	234
PHARMACISTS	150	74	68	0	41	18	2	13	6	49	53	238	340
PHARMACY TECHNICIANS	25	11	12	0	2	6	1	5	2	19	11	33	63
PHYSICAL THERAPY	47	12	13	0	12	1	0	5	1	27	6	30	63
PHYSICIAN ASSISTANTS	71	49	15	4	16	3	0	6	1	28	10	55	93
PODIATRIC MEDICINE	34	4	9	0	9	6	2	4	0	14	7	36	57
PSYCHOLOGY	24	8	12	0	6	5	0	3	2	9	15	39	63
RADIOLOGIC TECHNOLOGY	21	14	14	0	0	13	15	6	0	14	17	39	70
RESPIRATORY CARE	156	125	13	21	6	7	1	10	0	125	2	31	158
SCHOOL PSYCHOLOGY	0	0	1	0	2	2	0	0	1	0	1	3	4
SPEECH-LANGUAGE PATH/AUDIO	10	1	3	0	7	5	0	2	2	6	3	20	29
TOTAL FOR ALL BOARDS	4,715	1,684	1,326	132	839	622	102	741	133	2,606	1,039	4,643	8,288