

Division of Medical Quality Assurance

Quarterly Management Report

THE FLORIDA DEPARTMENT OF HEALTH

FOURTH QUARTER—FISCAL YEAR 2007-2008

Division of Medical Quality Assurance Participates in DOH Public Health Fair at the Capitol



Left to Right: MQA representative Bill Parizek, State Surgeon General Ana Viamonte Ros, and MQA representative John Moldstad at the DOH Health Fair

On April 10, the Florida Department of Health (DOH) hosted a Public Health Fair at the Capitol Building in celebration of National Public Health Week. This year's national focus was on Climate Change: Our Health in the Balance. Materials presented at the Capitol included information on environmental health and other DOH priorities, including the Surgeon

General's 3P's message of Prevention, Personal Responsibility, and Preparedness.

The MQA once again participated in the Health Fair. This year's display, brochures, and promotional items highlighted online license lookup and profiling, disciplinary action reports, Unlicensed Activity, and performance-driven results.

DOH Investigation Leads to Arrests in Miami

The Florida Department of Health’s (DOH) South Florida Unlicensed Activity (ULA) Unit announced that joint investigations with the Miami-Dade Police Department’s Medical Crimes Unit (MDPD-MCU) has led to the arrest of four individuals in connection with the unlicensed practice of massage therapy, a first degree misdemeanor and punishable by up to one year in jail.

The ULA office received information from an anonymous complainant that massage services were being provided at an unlicensed massage establishment known as the “Dragonfly Medi-Spa” located at 7307 Miami Lakes Drive in Miami Lakes. A subsequent ULA investigation confirmed that the facility is an unlicensed massage establishment. On Wednesday, April 16, 2008, detectives from the MDPD-MCU, along with DOH ULA investigators conducted a joint undercover operation at the business during which a massage was provided to an undercover detective. On Tuesday, April 22, 2008, detectives from MDPD-MCU arrested the owner of the facility, Evelyn Marina Batista for operating the unlicensed establishment. Batista was given a Promise to Appear (PTA) notice, in lieu of a physical arrest.

Multiple undercover operations conducted on Tuesday, April 29, 2008 resulted in the arrests of: Olga Maria Portilla, Leyla DelSocorro Hurtado, and Vilma Marceno for the unlicensed practice of massage therapy. Each of the women was employed by an unlicensed massage establishment in Miami. Portilla worked for the “Rainbow Day Spa”, at 7392 N.W. 35th Terrace. Hurtado worked at “A.R.G. Wellness” at 3990 West Flagler Street, and Marceno was employed by “Beauty Sensation” at 7319 N.W. 36th Street. All of these suspects were arrested after they provided a massage to an undercover MDPD-MCU detective. Portilla and Marceno were each given a Promise to Appear (PTA) notice, in lieu of a physical arrest. Hurtado was taken into physical custody and transported to a Miami-Dade jail, when she could not produce valid personal identification. None of these suspects have ever been licensed by the Florida Department of Health.

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 complaint form on the DOH Web site or calling 1-877-HALT-ULA or 1-877-425-8852.

Fourth Quarter ULA Statistics	
Complaints Received	224
Referred for Investigation	221
Investigations Completed.	194
Cease and Desists Issued	55
Referrals to Law Enforcement.	127
Arrests	48

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



Practitioner Regulation Quarterly Summary • April 1, 2008 – June 30, 2008

BOARD	COMPLAINTS RECEIVED	LEGALLY SUFFICIENT	INVESTIGATIONS COMPLETED	CITATIONS ISSUED	DISMISSED BY PANEL	PC FOUND	PC FOUND DISMISSED	FINAL ORDERS	CONSUMER SERVICES	INVESTIGATIVE SERVICES	LEGAL SERVICES	TOTAL SERVICES
ACUPUNCTURE	10	9	9	0	0	0	0	0	4	9	20	33
ANESTHESIOLOGY ASSISTANTS	0	0	0	0	0	0	0	0	0	0	0	0
ATHLETIC TRAINERS	0	0	1	0	0	0	0	0	2	0	4	6
CERTIFIED NURSING ASSISTANTS	365	207	166	19	149	64	8	104	84	154	391	629
CERTIFIED SOCIAL WORKERS	0	0	0	0	0	0	0	0	0	0	0	0
CHIROPRACTIC MEDICINE	82	40	47	7	34	29	1	21	23	53	155	231
CLINICAL LAB PERSONNEL	6	1	0	0	2	1	1	0	0	1	4	5
CLINICAL SOCIAL WORKERS	91	6	9	0	0	0	1	2	3	5	24	32
DENTAL HYGIENISTS	29	20	2	3	0	1	0	0	8	3	7	18
DENTAL LABORATORIES	19	14	8	0	0	0	0	1	0	3	24	27
DENTISTRY	379	151	96	12	56	29	3	9	116	89	281	486
DIETETICS AND NUTRITION	3	1	6	2	0	1	0	2	0	2	5	7
DRUGS, DEVICES & COSMETICS	125	114	103	0	98	0	1	194	3	156	242	401
ELECTROLYSIS	12	7	2	0	0	0	0	2	18	4	13	35
ELECTROLYSIS FACILITIES	4	1	1	0	0	0	0	1	2	1	1	4
EMERGENCY MEDICAL TECH	39	16	21	0	2	19	0	2	3	14	86	103
HEARINGAID SPECIALISTS	33	13	18	0	1	0	0	0	24	4	36	64
MARRIAGE & FAMILY THERAPISTS	2	1	2	0	1	0	0	0	2	0	5	7
MESSAGE ESTABLISHMENTS	76	31	19	2	14	15	2	10	14	22	57	93

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MASSAGE THERAPY	207	159	56	20	10	26	1	31	66	46	166	278
MEDICAL PHYSICIANS	0	0	0	6	0	0	0	0	1	0	2	3
MEDICINE	2,442	732	394	15	352	48	13	104	985	679	1,314	2,978
MENTAL HEALTH COUNSELORS	27	8	5	0	2	2	0	3	5	11	27	43
MIDWIFERY	5	4	2	0	0	0	0	0	1	5	3	9
NATUROPATHIC MEDICINE	0	0	0	0	0	0	0	0	0	0	0	0
NURSING - ARNP	113	75	39	103	28	3	1	6	25	22	70	117
NURSING - LPN	455	377	138	111	84	57	9	81	73	135	381	589
NURSING - RN	475	292	192	72	111	94	19	121	125	161	590	876
NURSING HOME ADMINISTRATORS	40	4	3	0	0	0	0	0	18	5	29	52
OCCUPATIONAL THERAPY	11	9	12	41	4	1	0	0	9	3	30	42
OPTICAL ESTABLISHMENTS	1	0	1	0	0	0	0	0	0	0	13	13
OPTICIANRY	5	0	3	0	0	0	0	2	6	2	14	22
OPTOMETRY	16	4	10	31	0	0	0	2	3	5	17	25
OPTOMETRY BRANCH OFFICES	1	0	0	0	0	0	0	0	0	0	0	0
ORTHOTISTS & PROSTHETISTS	69	64	5	1	0	0	0	5	26	0	57	83
OSTEOPATHIC MEDICINE	216	60	64	3	49	9	1	23	84	56	136	276
PARAMEDICS	29	14	32	0	3	27	0	2	10	21	132	163
PHARMACIES	76	41	70	0	57	3	1	3	5	72	79	156

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PHARMACISTS	210	173	58	24	52	22	7	18	90	67	141	298
PHYSICAL THERAPY	36	25	16	72	7	5	0	6	26	8	33	67
PHYSICIAN ASSISTANTS	101	74	18	3	8	2	0	3	19	17	48	84
PODIATRIC MEDICINE	112	48	32	28	0	1	0	5	17	8	66	91
PSYCHOLOGY	34	15	15	0	4	1	0	3	34	16	43	93
RADIOLOGIC TECHNOLOGY	22	17	11	0	1	13	0	11	20	7	40	67
RESPIRATORY CARE	19	16	11	2	5	8	2	0	8	7	59	74
SCHOOL PSYCHOLOGY	1	0	1	8	0	0	0	0	0	0	3	3
SPEECH-LANGUAGE PATH/AUDIO	9	6	5	0	3	3	0	3	1	3	12	16
TOTAL FOR ALL BOARDS	6,007	2,849	1,703	585	1,137	484	71	780	1,963	1,876	4,860	8,699

Board and Council Appointments • April 1, 2008 – June 30, 2008

Name	Board or Council
Joseph Brecko	Drug Wholesaler Advisory Council
Dean Ellis	Drug Wholesaler Advisory Council
William de Gutierrez-Mahoney	Drug Wholesaler Advisory Council
Arlene Elliott	Drug Wholesaler Advisory Council
Michael Ayotte	Drug Wholesaler Advisory Council
Philip Johnson	Drug Wholesaler Advisory Council
Timothy Walker	Drug Wholesaler Advisory Council
Albert Garcia	Drug Wholesaler Advisory Council

Board and Council Appointments • April 1, 2008 – June 30, 2008

Name	Board or Council
Stephen Mason	Drug Wholesaler Advisory Council
Audra Kinney	Electrolysis
Gregory Gunter	Acupuncture
Barbara Thurman	Acupuncture
Barbara Rezmer	Acupuncture
Barbara Schwartz	Acupuncture
Gerardo Gomez	Athletic Training
Marisa Brunett	Athletic Training
George Caldwell	Athletic Training
Heather VanOpdorp	Athletic Training
Angela Sehgal	Athletic Training
Nilia Madan	Clinical Laboratory Personnel
Carl Meizer	Dentistry
Joseph Morgan	Dentistry
Lavigne Kirkpatrick	Nursing
Barbara Kemp	Nursing
Linda Sarvis	Nursing Home Administrators
Harold Wishna	Nursing Home Administrators
Jeri Francoeur	Nursing Home Administrators
Timothy Underhill	Optometry
Ralph Lees	Orthotists and Prosthetists
Hugh Panton	Orthotists and Prosthetists
Dennis Frisch	Podiatric Medicine