



Message from the Chair

Florida Board of Medicine

June 2011

Dear Colleagues and Fellow Citizens,

I am deeply honored to serve as the Chair of the Florida Board of Medicine. As a practicing cardiologist at Bradenton Cardiology Center, in Manatee County, I have had the privilege of serving the people of my community for over thirty years. It has been a unique pleasure to serve as a member of the Board these past four years.

I am delighted to welcome the new board members: Dr. Zachariah P. Zachariah M.D., Cardiologist; Merle Stringer M.D., Neurosurgeon; James Orr M.D., Gynecological Oncologist; and Nabil El Sanadi, M.D., Emergency Physician. I want to sincerely thank all the members of this Board who put in so many hours of work, reviewing at least twenty thousand pages of material before each meeting every other month in addition to serving on multiple committees of the Board. Their commitment and dedication makes the work of this important Board possible.

At the present time, there are close to 60,000 active medical licenses issued by this Board in the state of Florida. I strongly encourage each of you to stay current with legal and ethical considerations affecting the practice of medicine in the State of Florida. In too many cases, we see good, caring physicians come before the Board for disciplinary action because they are unaware of the laws and regulations which pertain to their medical practice. Each year, there are legislative changes impacting medicine and 2011 is no different. The legislative session, which was just completed last month, has several important changes that practicing physicians need to be aware of in order to best provide for and protect your patients.

A detailed summary of this year's changes, prepared by Joy A. Tootle, Executive Director of the Board, has been mailed to you. Some of the highlights are as follows:

- Beginning July 1, 2011, practitioners, generally, will no longer be authorized to dispense Schedule II or Schedule III controlled substances. (There are a few exceptions provided for in the law.)

- Beginning July 1, 2011, only counterfeit-proof prescription blanks from a Department approved vendor may be used for any written prescriptions of controlled substances. A list of approved vendors is available at <http://www.doh.state.fl.us/mqa/counterfeit-proof.html>.
- Standards of practice for controlled substance prescribers are spelled out in detail.
- Criteria for required registration as a pain-management clinic are revised.
- There are new requirements for physicians practicing in pain-management clinics.
- Effective January 1, 2012, any practitioner who prescribes controlled substances for the treatment of chronic nonmalignant pain must designate such on his or her practitioner profile.
- Effective October 1, 2011, Expert Witness Certificates are required for out-of-state licensed practitioners who wish to testify in medical malpractice cases in Florida.

You can find new laws and rules online and stay current at the following web site and you are encouraged to read the full text of the new bills that were recently passed because the new legal requirements may affect your practice: <http://www.doh.state.fl.us/mqa/Legislation/legis.htm>.

As a first step, I hope that you will update your practitioner profile today to include your current email address and any other pertinent information. Please encourage all your colleagues to do the same. This will make our communications to you more timely. Basic information such as current practice address, updates to criminal or disciplinary history or malpractice claims are legally required to be updated pursuant to our practice act. However, many practitioners do not realize that information such as committee memberships, awards and publications can also be voluntarily be added to the profile.

I would also like to invite all physicians, medical students and residents to attend a Board of Medicine meeting in the near future. You can find information about attending the next meeting under the heading below called *Upcoming Events*. If you are unable to attend a meeting, you can find agendas, agenda materials, minutes and even audio links from the meetings online at <http://www.doh.state.fl.us/mqa/medical/meeting.html>. The agendas and agenda materials are available at least seven days prior to the meeting date and the minutes and audio are available approximately one week following the meeting date.

I would like to take this opportunity to thank each of you who have dedicated your lives to caring for the people of Florida. It is your work and commitment that provides for the health and wellbeing of all Floridians. The citizens of this state depend on you, and we thank you for your hard work.

With sincere thanks,
George Thomas, MD
Chair, Florida Board of Medicine

2011 Legislative Update

Click on this link <http://www.doh.state.fl.us/mqa/Legislation/legis.htm> to view a summary of new legislation that may affect your practice. It is imperative that you review each of these bills in their entirety to understand and comply with the new provisions. It is also imperative to note that there are other bills that may affect your medical practice that were passed by the 2011 Legislature but are still awaiting the Governor’s signature. Refer to the attached letter for assistance in obtaining that information.

Board Member and Staff Activities

As you can see, we have a new Board Chair, Dr. Thomas. Other appointments include:
Merle Stringer, M.D.
James Orr, M.D.
Nabil El Sanadi, M.D.
Z.P. Zachariah, M.D.

New Board elections include:
George Thomas, M.D. – Chair
Jason Rosenberg, M.D. – Vice Chair
Z.P. Zachariah, M.D. – 1st Vice Chair
Elisabeth Tucker, M.D. – 2nd Vice Chair

Congratulations to all!

Dr. Bearison will be providing an update on board activities at the Annual Florida Medical Association Meeting on August 13, 2011.

Former Executive Director, Larry McPherson will present the Laws and Rules Course for the Florida Medical Association on June 25, 2011.

Dr. Espinola recently completed her work as co-author for an Operation Primer geared towards utilizing mental training for the operating physician as it applies to tonsillectomy using harmonic technology. Details of the publication are:
Herman MD, Howard K. & Espinola MD, Trina E., *Tonsillectomy with Harmonic Technology*, USA, Springer, 2010. ISBN 978-3-642-12747-2

Former Board Member, Steven Rosenberg, M.D. provided a presentation at the Prescription Drug Abuse & Pain Clinic Summit II on May 26, 2011.

One of our new members, Dr. Orr, will be a speaker in a Risk Management Course being presented to the Naples Community Hospital on June 18, 2011.

Physician Workforce Survey

Completing this survey at renewal is mandatory. We have found that some physicians acknowledge completion of the survey without actually completing it. Once you affirm your renewal, you cannot go back and complete the survey later. This may result in the issuance of a citation (fine) for failing to complete the required survey. So, please be sure and complete the survey at renewal.

Practitioner Profile

Any changes to your profile must be made within 15 days of said change. To change your profile, see *Locating Information* below.

Upcoming Events

Our next Board of Medicine meeting is scheduled for August 5-6, 2011 in Jacksonville. This is a good opportunity to learn more about Board activities and obtain 5 hours CME credit in ethics or risk management at the same time. You can obtain this credit only once during a biennium. Below is the meeting schedule for the remainder of 2011. While you are there, be sure to pick up helpful information on the public information table. The agendas for these meetings will be posted to the web site approximately one month prior to meeting date.

August 5-6, 2011	Embassy Suites 9300 Baymeadows Rd Jacksonville, FL 32256 (904) 731-3555
September 30 - October 1, 2011	Wyndham Tampa Westshore 700 N Westshore Blvd Tampa, FL 33609 (813) 289-8200
December 2-3, 2011	Renaissance Orlando Airport 5445 Forbes Place Orlando, FL 32812 (407) 240-1000

Locating Information

Where can you find information you need to know about your license? Our web site! Go to www.FLHealthSource.com and click on *Licensee/Provider*. From here you can go directly to the Board of Medicine web site, access your practitioner profile, renew your license online, review professional updates, declaratory statements, and much more.

Also, you might be interested in our Mailman System which replaces the Web Board as a mechanism to receive information from the Board. This is an email system you can subscribe to in order to receive up to the minute information. Simply log on to <http://flems.doh.state.fl.us/mailman/listinfo/boardofmedicine> and subscribe!

If you are unable to locate the information you are seeking, send an e-mail to the Board! Send your question and comments to: MQA_Medicine@doh.state.fl.us. Remember there is an 'underscore' symbol between MQA and Medicine.

If you would rather have your correspondence go to another e-mail address, please update your online Practitioner Profile. You can update your Practitioner Profile by visiting <http://www.flhealthsource.com>, selecting *Licensee/Provider*, then selecting *Update Profile* in the Current Licensee Services section of the page. If you need help accessing your online profile, call (850) 488-0595, then select menu option 3.

Are you interested in knowing your Board Members? Go to our web site and click on *Related and Contact Information*. Once there, click on *Board Members, Legal Counsel and Committee Appointments*. Each Board Member is listed. Click on the member's name to view their biography. You can also view the various committees of the Board here.

[Highlights of the June 3-4, 2011 Board of Medicine Meeting](#)

Disciplinary Hearings:	
34	Settlement Agreements
5	Informal Hearings
6	Informal Hearing by Default
7	Voluntary Relinquishments
1	Recommended Orders

Board Final Action *	
28	MDs/PAs/EOs placed under obligations
7	MDs/PAs/EOs voluntarily relinquished
3	MDs/PAs/EOs suspended
6	MDs/PAs/EOs revoked
2	MDs/PAs/EOs on probation
2	Case was continued until the next meeting
3	Settlement Agreements rejected; case returned for further litigation
1	Cases dismissed
1	Case withdrawn from agenda

* See bottom of email for explanation of penalties.

* The Board of Medicine has oversight in disciplinary matters for the following professions:

Medical Doctors
 Physician Assistants
 Electrologists
 Dietetic-Nutritionists

To view the minutes for any of these meetings, go to our web site and click on *Minutes*.

*** Explanation of Penalties (in order of severity)**

Obligations	The board disciplined the licensed practitioner and a penalty, which may include restrictions and/or additional requirements, was placed on the licensed practitioner. The licensed practitioner may practice his/her profession in the state of Florida under the conditions specified by the licensing board or department. Practitioner is obligated to update his/her profile data
Probation	The board has disciplined the licensed practitioner and placed his/her license in a probationary status. The licensed practitioner may practice his/her profession in the state of Florida under terms specified by Final Order. Practitioner is obligated to update his/her profile data.
Suspension	The board disciplined the licensed practitioner, prohibiting practitioner from practicing in the state of Florida for a specified period of time outlined in the final disciplinary order. The practitioner is obligated to update his/her profile data.
Revocation	The board or department disciplined the licensed practitioner and his/her license was removed permanently. The practitioner is not authorized to practice in the state of Florida. The practitioner is not obligated to update his/her profile data.
Voluntary Relinquishment	The licensed practitioner elected to give up their license to practice in the state of Florida. This relinquishment does constitute discipline and the licensee is not permitted to ever reapply for licensure in Florida. The practitioner is no longer obligated to update his/her profile data.

