

**MINUTES
PUBLIC PORTION OF THE
SOUTH PROBABLE CAUSE AGENDA
BOARD OF MEDICINE**

Meeting Date: March 8, 2013 Meeting Time: 2 PM to 5 PM

Toll Free Number- 1-888-670-3525, Conference Code Number - 7809676207

Steven Rosenberg, M.D., Chairman, called the public portion of the meeting of the Probable Cause Panel to order at 2:02 P.M. Those present for the meeting included the following:

Members Present:

Steven Rosenberg, M.D. – Chairperson
Nabil El Sanadi, M.D. - Panel Member
Deborah Gerbert, P.A. – Panel Member
Ed Tellechea, Esq. - Assistant Attorney General & Board Counsel

Others Present included:

T.J. Morton, Assistant General Counsel
Sharmin Hibbert, Assistant General Counsel
Matthew Jones, Esquire, Attorney for Andrew Lawrence (R-01)

Court Reporter: For the Record (850) 222-5491; FAX (850) 224-5316

Opening Remarks:

Mr. Tellechea, Assistant Attorney General, advised the panel if they have questions concerning the medical Practice Act, Chapter 458, Chapter 456, Florida Statutes or Rules of the Board to direct those questions to him. If the panel members have questions regarding the investigation and the facts of the investigation or how the investigation was handled, those questions should be directed to the prosecuting attorney. Mr. Tellechea asked the panel what material they have been provided. Ms. Hibbert stated that the entire investigative files have been made available to the panel members and Counsel to the Board and other documents that are pertinent to the file including draft proposed administrative complaints and closing orders. Mr. Tellechea asked the panel members if they had received the materials and had sufficient time to review the materials on the agenda prior to now. The panel members answered in the affirmative.

Mr. Tellechea asked that this statement be supplied with any request for copies of transcripts. Mr. Tellechea concluded the opening remarks of the public portion of the meeting.

RECONSIDERATIONS

	<u>Subject Name:</u>	<u>Case No.:</u>	<u>Action Taken:</u>
RN-01	Andrew Lawrence, M.D.	2009-12171	Dismissed

Prosecution Services presented this case involving an alleged violation of 458.331(1)(t)(m), F.S. for committing medical malpractice and failing to keep legible medical records. This case was previously brought before the panel as an Administrative Complaint and has been brought back to

the panel for dismissal based upon insufficient evidence to support the prosecution of the allegations contained in the Administrative Complaint. The Department recommended dismissal.

After discussion, a motion was made, seconded and carried unanimously to dismiss the case.

Action taken: case dismissed

	<u>Subject Name:</u>	<u>Case No.:</u>	<u>Action Taken:</u>
RN-02	Eric Grosch, M.D.	2012-09776	Maintain AC

Prosecution Services presented this case involving an alleged violation of Florida Statutes. The panel discussed the circumstances of the case. After discussion a motion was made, seconded and carried unanimously to maintain the Administrative Complaint.

Action taken: maintain Administrative Complaint

	<u>Subject Name:</u>	<u>Case No.:</u>	<u>Action Taken:</u>
RN-03	Ruben Nunez, M.D.	2011-13753	Tabled

This case was tabled.

	<u>Subject Name:</u>	<u>Case No.:</u>	<u>Action Taken:</u>
RN-04	Jeffrey Sandler, M.D.	2010-11698	Dismissed

Prosecution Services presented this case involving an alleged violation of 456.072(1)(bb) and 458.3631 (1)(t), F.S. (2009) by performing or attempting to perform health care services on the wrong patient, a wrong-site procedure, a wrong procedure, or an unauthorized procedure or a procedure that is medically unnecessary or otherwise unrelated to the patient's diagnosis or medical condition and by engaging in medical malpractice. This case was previously brought before the panel as an Administrative Complaint and has been brought back for dismissal based upon a second expert opinion. The Department recommended dismissal.

After discussion, a motion was made, seconded and carried unanimously to dismiss the case.

Action taken: case dismissed

The meeting adjourned at 2:21 p.m.