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STATE OF FLORIDA
AGENCY FOR HEALTH CARE ADMINISTRATION

BOARD: Medicine
CASE NUMBER: 0095095
COMPLAINT MADE BY: Medicaid
DATE COMPLAINT RECEIVED: February 18, 1988
COMPLAINT MADE AGAINST: Luis Ferrer-Meneses, M.D.
351 NW 42nd Avenue, #315
Miami, FL 33126
REVIEWED BY: Randolph P. Collette
Senior Attorney
STAFF RECOMMENDATION: Dismiss (PL-82)

CLOSING ORDER

THE COMPLAINT: Complainant alleges that the Respondent of the investigation breached the acceptable standard of care, failed to maintain adequate patient medical records, and inappropriately prescribed legend drugs, including controlled substances.

THE FACTS: Respondent provided psychiatric treatment for patients between 1974 and 1985. Case files of ten patient were reviewed regarding allegations that patients were not properly diagnosed and treated, complete patient medical records were not maintained and inappropriate medications were prescribed. Expert reviews were obtained with the initial Agency expert indicating that the Respondent care of the patients was acceptable and that the medications prescribed were appropriate. The expert did indicate that Respondent's medical records were substandard in many respects. Additional expert reviews raised concerns with certain portions of Respondent's medical care for several patients, the quality of medical records, and a concern regarding prescribing for a single patient.

In preparation for the prosecution of this case, the Agency attempted to secure additional information regarding patient treatment and patient medical records. As a result of the destruction from Hurricane Andrew, hospital records and office


treatment records of these and other patients are no longer available. Additionally, the health maintenance organizations involved in these cases have merged with other entities or gone out of business and their records are no longer available. Respondent has had no further complaints filed against him since this single case.

THE LAW: There is sufficient evidence for the Panel to have found probable cause in the case. However, based upon the additional circumstances set forth above, the Agency has determined that the case should be dismissed. Therefore, pursuant to Section 455.225(2), Florida Statutes, this case is DISMISSED.

It is, therefore, ORDERED that this matter should be and the same is hereby DISMISSED.

DONE and ORDERED this 24 day of May, 1996.

Douglas M. Cook, Director



Larry G. McPherson, Jr.
Chief Medical Attorney

PCP: May 23, 1996