

Florida Times Union

Florida State Prison psychiatrist's license stripped over past patient-sex relationship

By Jeremy Cox

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ORLANDO -- A Florida State Prison psychiatrist who resigned this week amid revelations of a sexual relationship with a former patient can no longer practice medicine in Florida, a state panel ruled today.

The Florida Board of Medicine voted unanimously to revoke Emanuel John Falcone's medical license. The move came about 14 months after the state of New York stripped Falcone of his license for having sex with a female patient with multiple personalities.

Attorneys for the Florida Department of Health today urged the panel to revoke Falcone's license, citing a state law that enables disciplinary action against physicians who are punished elsewhere.

"If he's not qualified to practice in New York, he's not qualified to practice here," said Jason Rosenberg, a Gainesville plastic surgeon who sits on the board.

Although Falcone was treating only male inmates at the Raiford prison, members of the Board of Medicine said he was unfit to work even there.

"I don't see where we have a choice," said Elisabeth Tucker, a board member from Pensacola whose medical specialties are obstetrics and gynecology. "We may disdain prisoners, but they deserve quality health care."

Falcone, tan-suited and bespectacled, said little during the 20-minute hearing. The psychiatrist said he quit his \$188,000-a-year post at the prison Wednesday under pressure from "people pretty high up" within the state's Department of Corrections.

The department's secretary, Walter McNeil, was unaware of Falcone's troubled past until the Times-Union called Tuesday with questions about why Falcone was hired, a department spokeswoman said this week. But more immediate superiors were aware, records show.

Falcone was hired to work in the prison in April 2008 and was promoted to full-time work last August. At the time he quit, Falcone, who maintained a Fort Myers address, was in charge of evaluating prisoners sent to the inpatient psychiatric unit.

That is critical position within the prison's psychiatric department and one Falcone deserved, two of his superiors have said.

"He has proven to be a cohesive team player, at all levels of interaction with peers and subordinates," C.W. Bowlan, senior health services administrator at the prison, wrote in a letter addressed to the Department of Health.

He and a second prison health worker, lead senior mental health clinician Stuart Townsend, each wrote letters asking the Department of Health to allow Falcone to keep his license. Both letters were written before Falcone's resignation.

Falcone's attorney, A.S. "Gus" Weekley of Tampa, said his client was working to rehabilitate himself. Since August, for example, the psychiatrist has completed more than 50 hours of training in professional boundaries, Weekley said.

"He has changed drastically and is on the road to recovery," Weekley added.

A doctor in charge of managing Falcone's treatment regimen told the panel that he had "no problem" with Falcone working solely with male inmates.

But Raymond Pomm of the Florida Impaired Practitioners Program added that Falcone's case is "quite a bizarre, convoluted scenario and one that is rather disturbing."

According to New York records, a female patient began seeing Falcone's girlfriend, a licensed clinical social worker, in her Manhattan office in 2003. The patient-relationship continued after the couple married and moved to Florida in 2005. (The woman's name and age weren't disclosed in the records.)

Falcone's wife would share the patient's information with him, New York investigators found. The woman and Falcone began communicating by phone, and he gradually took over her treatment, even prescribing her medicine at one point.

In a case summary, a panel of New York physicians wrote that Falcone was "fascinated" by her alternative identities, some of which were children.

Their sexual relationship began in 2006 when they got together in New York, the summary said. It continued with a weekend trip that year to picturesque Captiva Island, near Fort Myers.

Falcone told the New York panel he never considered his interactions with the woman to be treatment or therapy.

In today's hearing, Falcone's effort to get his revocation reduced to probation and a fine, among other penalties, was rebuffed by the panel. He declined to be

interviewed as he left the hearing and walked away with his head down and hands in his pockets.