

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

BOARD: Medicine  
CASE NUMBER: 9214996  
COMPLAINT MADE BY: Patient S.W.  
DATE COMPLAINT RECEIVED: August 26, 1992  
COMPLAINT MADE AGAINST: Mohammad K. El-Yousef, M.D.  
1555 S. Fort Harrison  
Clearwater, Florida 34616  
REVIEWED BY: Francesca Plendl, Senior Attorney  
STAFF RECOMMENDATION: Close (PL-82)

Final Order No. BPR-94-0000757  
Date: 2/14/94  
FILED BY AGENCY CLERK  
Dept. of Business and Professional Regulation  
Sarah Wachman, Agency Clerk  
By: Brandon L. Moore

CLOSING ORDER AND NOTICE OF DISMISSAL

THE COMPLAINT: Complainant alleges that the Respondent failed to prescribe appropriately and failed to keep written medical records justifying the course of treatment.

THE FACTS: The Respondent is Board certified in psychiatry and has no previous discipline against his license. In 1992 he treated a 38 year old female patient with a history of alcoholism, substance abuse and bipolar affective disorder. The patient was admitted to a treatment center where the Respondent worked, and was treated for detoxification, bipolar affective disorder and borderline personality disorder. During the treatment period the Respondent prescribed Catapres, Zoloft, Desyrel, Ativan, lithium carbonate, Librium, Dalmane, Vistaril, Thorazine, Elavil, Xanax, Restoril, and Navane. It is alleged that the amounts and combinations of drugs prescribed by the Respondent were inappropriate, and the medical records inadequate.

The Respondent had the case reviewed by Daniel Sprehe, M.D., a Board certified psychiatrist. He states that this was a noncompliant patient with a long history of Bipolar Affective Disorder, multiple Substance Abuse Disorder and Borderline Personality Disorder. He states that the drugs prescribed by the Respondent were all within acceptable dosage range and for acceptable indications, especially since she was under hospital supervision. He also states that "At no time did Dr. El-Yousef use a combination of several benzodiazepine tranquilizers at the same time. He used different benzodiazepines interchangeably at different times. He also didn't use a combination of hypnotics at any one time. He did use anti-histamines and he used anti-depressants, but this is accepted psychiatric practice".

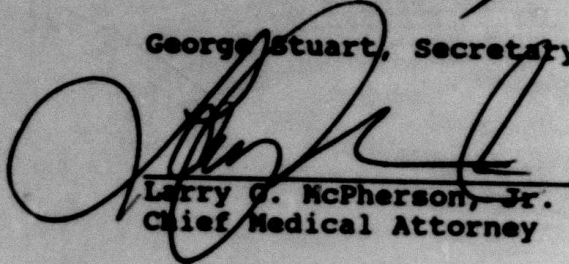
Dr. Sprehe concluded his written opinion by stating that Dr. El-Yousef did not inappropriately prescribe legend drugs and did keep adequate medical records, in that he justified the course of treatment. He further states that Dr. El-Yousef at all times practiced within the standard of care and at all times acted in the best interest of the patient.

**THE LAW:** There is sufficient evidence for the panel to have found probable cause in this case. However, based upon the above facts, the Department has determined that there is insufficient evidence to support the prosecution of allegations contained therein. Therefore, pursuant to Section 455.225(2), Florida Statutes and Rule 21-31.001, Florida Administrative Code, this case is DISMISSED.

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

DONE and ORDERED this 10 day of February, 1994

George Stuart, Secretary



Larry G. McPherson, Jr.  
Chief Medical Attorney