

STATE OF FLORIDA
DEPARTMENT OF HEALTH

BOARD: Medicine
CASE NUMBER: 1997-06988
COMPLAINT MADE BY: AHCA
DATE COMPLAINT RECEIVED: April 4, 1997
COMPLAINT MADE AGAINST: Richard Morales, M.D.
1261 11th Court SW
Largo, Florida 33770-4403
REVIEWED BY: John E. Terrel
Senior Attorney
STAFF RECOMMENDATION: Dismiss (PL-82)

CLOSING ORDER

THE COMPLAINT: The complaint alleges that the Subject violated Section 458.331(1)(x), Florida Statutes, in that he violated any provision of this chapter, a rule of the board or department, or a lawful order of the board or department previously entered in a disciplinary hearing or failed to comply with a lawfully issued subpoena of the department.

THE FACTS: On September 1, 1995, a Final Order of the Board of Medicine was filed in Case No. 93-11241 against Respondent. In the Final Order, the Respondent was ordered to take and complete two courses, Protecting Your Medical Practice, Clinical, Legal and Ethical Issues in Prescribing Abusable Drugs sponsored by the University of South Florida and Quality Medical Record Keeping sponsored by the Florida Medical Association, within one year of the filing of the Final Order. Respondent was also ordered to provide documentation of completion of the courses to the Board of Medicine.

It is alleged in the Administrative Complaint that he failed to submit the required documentation to prove he completed the required courses. After additional

investigation, confirmation was received from a Medical Compliance Officer with the Board of Medicine that Respondent had completed the courses on January 7, 1998.

It is not alleged in the Administrative Complaint that Respondent failed to timely complete the required courses or to timely provide the documentation. The Respondent did complete the required courses, but failed to complete them in a timely manner as ordered by the Final Order in Case No. 93-11241. Based on this new information, this case should be dismissed, as this is a minor violation.

The Department believes that the violation charged does not warrant prosecution, based on new information obtained.

THE LAW: There is sufficient evidence for the Panel to have found probable cause in the case. However, based on the above facts, the Department of Health, by and through the Agency for Health Care Administration, pursuant to the provisions of Section 20.43(3), Florida Statutes, has determined that there is insufficient evidence to support the prosecution of allegations contained in the Administrative Complaint. Therefore, pursuant to Section 456.073(2), Florida Statutes, this case is hereby DISMISSED.

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

DONE AND ORDERED this 5th day of December, 2000

Robert G. Brooks, M.D., Secretary



Kathryn L. Kasprzak
Chief Medical Attorney
Agency for Health Care Administration

JET/jet

PCP: November 3, 2000