

STATE OF FLORIDA
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH,)
)
 PETITIONER,)
)
 v.) CASE NO. 1998-22291
)
 CATHERINE MARIE PAGE, M.D.,)
)
 RESPONDENT.)
 _____)

ADMINISTRATIVE COMPLAINT

COMES NOW the Petitioner, Department of Health, hereinafter referred to as "Petitioner," and files this Administrative Complaint before the Board of Medicine against Catherine Marie Page, M.D., hereinafter referred to as "Respondent," and alleges:

1. Effective July 1, 1997, Petitioner is the state agency charged with regulating the practice of medicine pursuant to Section 20.43, Florida Statutes; Chapter 456, Florida Statutes, and Chapter 458, Florida Statutes. Pursuant to the provisions of Section 20.43(3), Florida Statutes, Petitioner has contracted with the Agency for Health Care Administration to provide consumer complaint, investigative, and prosecutorial services required by the Division of Medical Quality Assurance, councils, or boards, as appropriate.
2. Respondent is and has been at all times material hereto a licensed physician in the state of Florida, having been issued license number ME 0073612. Respondent's last known address is Post Office Box 38, Talbott, Tennessee 37877.

3. On or about June 23, 1995, Respondent applied for a Temporary Certificate-Area of Critical Need in the state of Florida.

4. The application for the Temporary Certificate included the following questions:

Are you now or have you ever been emotionally/mentally ill? Have you ever received psychotherapy?

Respondent answered "no" to both of the above questions.

5. Respondent included an affidavit with her application that contained the following statement:

I have carefully read the questions in the foregoing application and have answered them completely, without reservations of any kind, and I declare under penalty of perjury that my answers and all statements made by me herein are true and correct.

6. Between on or about January, 1990 through on or about May, 1997, Respondent received psychotherapy for an emotional/mental illness.

7. Respondent made a misleading, untrue, deceptive, or fraudulent representation on a profile, credentialing, or initial or renewal licensure application when she falsely represented that she had never been emotionally/mentally ill and/or she had never received psychotherapy for any emotional/mental illness.

8. Section 455.624, Grounds for discipline; penalties; enforcement, states:

(1) The following acts shall constitute grounds for which the disciplinary actions specified in subsection (2) may be taken:

(v) Failing to comply with the requirements for profiling and credentialing, including, but not limited to, failing to provide initial information, failing to timely provide updated information, or making misleading, untrue, deceptive, or fraudulent representations on a profile, credentialing, or initial or renewal licensure application.

9. On or about May 18, 2000, the Virginia Board of Medicine entered a Corrected Order which, among other things, issued a reprimand to Respondent, imposed a monetary penalty of two thousand, five hundred dollars (\$2,500.00), and placed Respondent's license to practice medicine in the State of Virginia on indefinite probation.

10. Respondent failed to notify the Board of Medicine in the State of Florida about the Virginia Board of Medicine's Corrected Order within the required 30 days set forth in the statute.

COUNT ONE

11. Petitioner realleges and incorporates paragraphs one (1) through ten (10), as if fully set forth herein this Count One.

12. Respondent failed to perform any statutory or legal obligation placed upon a licensed physician, in that Respondent made misleading, untrue, deceptive, or fraudulent representations on a profile, credentialing, or initial or renewal licensure application, in violation of Section 455.624(1)(v), Florida Statutes.

13. Based on the foregoing, Respondent has violated Section 458.331(1)(g), Florida Statutes, by failing to perform any statutory or legal obligation placed upon a licensed physician.

COUNT TWO

14. Petitioner realleges and incorporates paragraphs one (1) through ten (10) and twelve (12), as if fully set forth herein this Count Two.

15. Respondent had a license or the authority to practice medicine revoked, suspended, or otherwise acted against by a licensing authority of any jurisdiction, including its agencies or subdivisions, in that Respondent's license to practice medicine in the State of Virginia was acted against by the Virginia Board of Medicine.

16. Based on the foregoing, Respondent has violated Section 458.331(1)(b), Florida Statutes, by having a license or the authority to practice medicine revoked, suspended, or otherwise acted against, including denial of licensure, by the licensing authority of any jurisdiction, including its agencies or subdivisions. The licensing authority's acceptance of a physician's relinquishment of a license, stipulations, consent order, or other settlement, offered in response to or in anticipation of the filing of administrative charges against the physician's license, shall be construed as action against the physician's license.

COUNT THREE

17. Petitioner realleges and incorporates paragraphs one (1) through ten (10), twelve (12) and fifteen (15), as if fully set forth herein this Count Three.

18. Respondent failed to report to the Board, in writing, the Corrected Order entered into by the Virginia Board of Medicine which, among other things, issued a reprimand to her, imposed a monetary penalty of two thousand, five hundred dollars

(\$2,500.00), and placed her license to practice medicine in the State of Virginia on indefinite probation within the required 30 days.

19. Based on the foregoing allegations, the Respondent violated section 458.331 (1)(kk), Florida Statutes by failing to report to the board, in writing, within 30 days if action as defined in section of 458.331(1)(b), Florida Statues, has been taken against one's license to practice medicine in another state, territory, or country.

WHEREFORE, the Petitioner respectfully requests the Board of Medicine enter an order imposing one or more of the following penalties: permanent revocation or suspension of the Respondent's license, restriction of the Respondent's practice, imposition of an administrative fine, issuance of a reprimand, placement of the Respondent on probation, the assessment of costs related to the investigation and prosecution of this case as provided for in Section 456.072(4), Florida Statutes, and/or any other relief that the Board deems appropriate.

SIGNED this 22nd day of January, 2001.

Robert G. Brooks, M.D., Secretary

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK Randa L. Ryan
DATE 1-24-01

Kathryn L. Kasprzak
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Chief Medical Attorney

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PCP: January 12, 2001
PCP Members: Ashkar, Glotfelty, Cherney

STATE OF FLORIDA
BOARD OF MEDICINE

Final Order No. DOH-01-0603- FOE MOA
FILED DATE - 5/3/01
Department of Health

By: Wicki R. Kenon
Deputy Agency Clerk

DEPARTMENT OF HEALTH,

Petitioner,

vs.

CASE NO.: 1998-22291
LICENSE NO.: ME0073612

CATHERINE MARIE PAGE, M.D.,

Respondent.

FINAL ORDER

THIS CAUSE came before the Board of Medicine (Board) pursuant to Sections 120.569 and 120.57(2), Florida Statutes, on March 31, 2001, in Jacksonville, Florida, for consideration of the Administrative Complaint (attached hereto as Exhibit A) in the above-styled cause. At the hearing, Petitioner was represented by Larry G. McPherson, Jr., Senior Prosecuting Attorney. Respondent was not present nor was she represented by counsel. The facts are not in dispute.

Upon consideration, it is ORDERED:

1. The allegations of fact set forth in the Administrative Complaint are approved and adopted and incorporated herein by reference as the findings of fact by the Board.

2. In addition, as aggravating factors, the Board finds that Respondent has a substance abuse problem, she has numerous licensure problems in Virginia, and Florida issued to Respondent a temporary

license for areas of critical need, but Respondent only worked in the practice setting for six months.

3. The conclusions of law alleged and set forth in the Administrative Complaint are approved and adopted and incorporated herein by reference as the conclusions of law by the Board.

4. The violations set forth warrant disciplinary action by the Board. THEREFORE,


IT IS HEREBY ORDERED AND ADJUDGED:

Respondent's license to practice medicine in the State of Florida is hereby REVOKED.

This Final Order shall take effect upon being filed with the Clerk of the Department of Health.

DONE AND ORDERED this 17th day of April, 2001.

BOARD OF MEDICINE


TANYA WILLIAMS, BOARD DIRECTOR
For
ZACHARIAH P. ZACHARIAH, M.D.
VICE-CHAIRMAN

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES.
