

Received Date : 8/27/2008
Date : 8/28/2008
Time : 167629
Number : 001003021
#: 908020447
Amount: \$575.00
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CLERK *Rachel*
DATE 9-15-08

Charlie Crist
Governor

**UNIFORM NON-DISCIPLINARY CITATION
BOARD OF MEDICINE**

Issued to: **PHILIP JAY SCHARFER, MD** Citation Number: 200817217
2401 PGA BLVD #244
PALM BCH GDNS, FL 33410-3566 Date of Violation: 11/02/07
License Number: 31908 Profession: 1501

Pursuant to Section 456.077 F.S., the undersigned hereby certifies that she has probable cause to believe that on 11/2/07 the above referenced subject did violate the following provision(s) of law **S. 458.331(1)(g), F.S.:** by committing the following act(s): **Statutory or legal obligation. Subject allegedly has failed to provide the patient's medical records upon request, as required by S. 456.057, F.S.**

Pursuant to **Rule 64B8-8.017(3)(f), Florida Administrative Code**, the Board/Department has set the following penalty for violation of the aforesaid provision: **\$500.00 plus costs in the amount of \$75.00.**

Total amount due \$575.00

On behalf of: Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General
ISSUED this 25th day of July, 2008 by: Tracie Natale
Tracie Natale, Government Analyst I

If you do not dispute the citation within, thirty (30) days of service, the citation will automatically be filed as a final order of the board but will not be considered disciplinary action against your license. If you accept this citation, it will be filed as a final order and total payment of fine and cost is due thirty (30) days from the date the citation is filed and becomes a final order. In order to dispute this citation you must do so in writing. Send the written dispute and a copy of the citation by certified mail to the following address:

Department of Health, Consumer Services Unit
4052 Bald Cypress Way Bin C#75
Tallahassee Florida 32399-3275

You may elect to have these charges prosecuted as a disciplinary action according to section 456.073 Florida Statutes, rather than accept this citation. In the event that you elect to have these charges prosecuted pursuant to section 456.073 Florida Statutes, the case will be presented to the appropriate probable cause panel or the Department for a determination of probable cause. Please understand that if you choose this option, any penalties imposed by the board will be counted as discipline.

PLEASE CHECK ONE OF THE FOLLOWING AND SIGN:

- (1) I CHOOSE TO ACCEPT THE NON-DISCIPLINARY CITATION
 (2) I CHOOSE NOT TO ACCEPT THE NON-DISCIPLINARY CITATION AND WISH TO HAVE THIS CASE PROSECUTED UNDER SECTION. 456.073, FLORIDA STATUTES.

Signed: *[Signature]* Date: 8/23/08
PLEASE READ THE INFORMATION ON THE REVERSE SIDE OF THIS FORM

RECEIVED
AUG 29 2008
Compliance Management
Unit

**IMPORTANT INFORMATION REGARDING
COMPLIANCE WITH THIS NON-DISCIPLINARY CITATION**

This citation automatically becomes a final order of the board if you do not dispute the citation within thirty (30) days of the date the citation was served. All fines and costs are due thirty (30) days from the date the citation becomes a final order. Please attach a copy of the citation with your payment. Payment should be made payable to the Department of Health. Payment shall be mailed to the following address:

DOH/MQAMS/Client Services
Post Office Box 6320
Tallahassee, Florida 32314-6320

Any continuing education requirements shall be completed within the timeframe specified in the citation and proof of compliance documented with the Department of Health. Proof of completion must be mailed to:

DOH/HMQAMS/Client Services
Compliance - Bin C01
4052 Bald Cypress Way
Tallahassee, Florida 32399-3251

After this citation becomes a final order, failure to pay the fine and costs specified and provide proof of required continuing education within the timeframe specified on this citation constitutes a violation of a final order of the board, and may subject you to disciplinary action and referral to a collection agency.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Citation has been served upon: PHILIP JAY SCHARFER, MD

At: 2401 PGA BLVD #244
PALM BCH GDNS, FL 33410-3566

() By Personal Service () U.S. Certified Mail, Restricted Delivery, this 4th day of August, 2008.

Signature

Jacqui Watala
Department of Health Representative