

STATE OF FLORIDA  
BOARD OF MEDICINE

Final Order No. DOH-10-1922-5-MOA

FILED DATE - 8-24-10

Department of Health

BY Angel Sanders  
Deputy Agency Clerk

DEPARTMENT OF HEALTH,

Petitioner,

vs.

DOH CASE NO.: 2009-20754

LICENSE NO.: ME0022605

RAMONA P. ABED, M.D.,

Respondent.

FINAL ORDER

THIS CAUSE came before the BOARD OF MEDICINE (Board) on August 6, 2010, in Orlando, Florida, for the purpose of considering Respondent's offer to voluntarily relinquish her license to practice medicine in the State of Florida. (Attached hereto as Exhibit A.) Said written offer of relinquishment specifically provides that Respondent agrees never again to apply for licensure as a physician in the State of Florida.

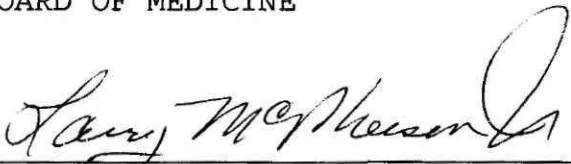
Upon consideration of the written offer of voluntary relinquishment, the charges, and the other documents of record, and being otherwise fully advised in the premises,

IT IS HEREBY ORDERED that Respondent's Voluntary Relinquishment of her license to practice medicine in the State of Florida is hereby ACCEPTED, and shall constitute discipline upon Respondent's license.

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

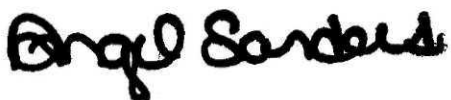
DONE AND ORDERED this 20 day of AUGUST, 2010.

BOARD OF MEDICINE

  
Larry McPherson, Jr., Executive Director  
For Onelia Lage, M.D., Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to RAMONA P. ABED, M.D., 1420 Brickell Bay Drive, #501, Miami, Florida 33131; and by interoffice delivery to Veronica Donnelly, Department of Health, 4052 Bald Cypress Way, Bin #C-65, Tallahassee, Florida 32399-3253 this 24 day of August, 2010.



**Deputy Agency Clerk**

STATE OF FLORIDA  
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH,

Petitioner,

v.

RAMONA P. ABED, M.D.,

Respondent.

DOH Case No. 2009-20754

**FILED**  
DEPARTMENT OF HEALTH  
DEPUTY CLERK  
CLERK: *Gracie May*  
DATE *6-25-10*

2010 JUN 10 AM 10:52  
PRACTITIONER REGULATION  
LEGAL

**VOLUNTARY RELINQUISHMENT OF LICENSE**

Respondent, Ramona P. Abed, M.D., License No. ME 22605, hereby voluntarily relinquishes Respondent's license to practice medicine in the State of Florida and states as follows:

1. Respondent's purpose in executing this Voluntary Relinquishment of License is to avoid further administrative action with respect to this cause. Respondent understands that acceptance by the Board of Medicine (hereinafter the Board) of this Voluntary Relinquishment of License shall be construed as disciplinary action against Respondent's license pursuant to Section 456.072(1)(f), Florida Statutes. As with any disciplinary action, this relinquishment of Respondent's license to practice medicine will be reported to the National Practitioner's Data Bank as disciplinary action. Licensing authorities in other states may impose discipline in their jurisdiction based on discipline taken in Florida.

2. Respondent agrees to never reapply for licensure as a physician in the State of Florida.

3. Respondent agrees to voluntarily cease practicing medicine immediately upon executing this Voluntary Relinquishment. Respondent further agrees to refrain from

17982

the practice of medicine until such time as this Voluntary Relinquishment of License is presented to the Board and the Board issues a written final order in this matter.

4. In order to expedite consideration and resolution of this action by the Board in a public meeting Respondent, being fully advised of the consequences of so doing, hereby waives the statutory privilege of confidentiality of Section 456.073(10), Florida Statutes, and waives a determination of probable cause, by the Probable Cause Panel, or the Department when appropriate, pursuant to Section 456.073(4), Florida Statutes, regarding the complaint, the investigative report of the Department of Health, and all other information obtained pursuant to the Department's investigation in the above-styled action. By signing this waiver, Respondent understands that the record and complaint become public record and remain public record and that information is immediately accessible to the public. Section 456.073(10) Florida Statutes.

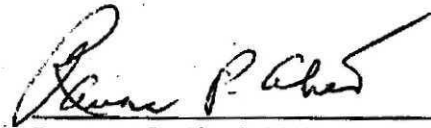
5. Upon the Board's acceptance of this Voluntary Relinquishment of License, Respondent agrees to waive all rights to seek judicial review of, or to otherwise challenge or contest the validity of, this Voluntary Relinquishment of License and of the Final Order of the Board incorporating this Voluntary Relinquishment of License.

6. Petitioner and Respondent hereby agree that upon the Board's acceptance of this Voluntary Relinquishment of License, each party shall bear its own attorney's fees and costs related to the prosecution or defense of this matter.

7. Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent in connection with the Board's consideration of this Voluntary Relinquishment of License. Respondent agrees that consideration of this Voluntary

Relinquishment of License and other related materials by the Board shall not prejudice or preclude the Board, or any of its members, from further participation, consideration, or resolution of these proceedings if the terms of this Voluntary Relinquishment of License are not accepted by the Board.

DATED this 02 day of June, 2010.

  
\_\_\_\_\_  
Ramona P. Abed, M.D.

STATE OF FLORIDA  
COUNTY OF Dade

Before me, personally appeared Ramona P. ABED, whose identity is known to me by PASSPORT (type of identification) and who, under oath, acknowledges that his signature appears above.

Sworn to and subscribed before me this 2 day of June, 2009.  
10

  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: 5/18/2012



2010 JUN 10 AM 10:52  
PRACTICES REGULATION  
LEGAL

F16281  
Retired

BOARD OF MEDICINE

2010 JUN -2 AM 10: 56

Ramona Abed  
1420 Brickell Bay Drive #501  
Miami, FL 33131

May 25, 2010

Attn: Michael San Filippo, Asst. General Counsel  
Dept. Of Health  
Prosecution Services Unit  
4052 Bald Cypress Way, Bin C-65  
Tallahassee, FL 32399-3265

Re: Ramona Abed - license No. 22605  
Complaint No. 200920754

Dear Board:

I am writing this letter with the assistance of my nephew. **Please take notice that I hereby voluntarily relinquish my license.** I was not provided with a voluntary relinquishment of licensure form even though my family attempted to obtain one on my behalf. As instructed, attached please find the election of rights form with my signature further confirming that I am relinquishing my license.

Please be aware that I have Alzheimer disease and depend heavily on my husband and family to assist me with my daily affairs. I have not been practicing and no longer wish to continue practicing. I am currently in "retired status" with the Department of Health.

Please consider that I am about 83 years old and suffer from other physical ailments in addition to Alzheimer. I am also retired and live on a fixed income. Appearing for a hearing outside of Miami and the imposition of a fine would cause my husband and I both physical and financial hardship.

Very truly yours,

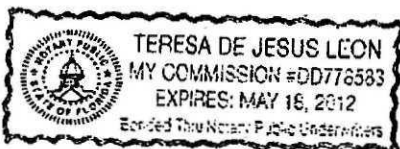
  
Ramona Abed

State of Florida  
County of Dade

Before me, personally appeared RAMONA ABED, whose identity is known to me by PASSPORT (type of ID) and who, under oath, acknowledges that his/her signature appears above. Sworn to and subscribed before me this 27 day of May, 2010.

  
Notary Public

My commission Expires: 5/18/2012



17985

ELECTION OF RIGHTS

DOH v. RAMONA P. ABED, M.D.

CASE NO. 2009-20754

PLEASE SELECT ONLY 1 OF THE 3 OPTIONS

An Explanation of Rights is attached. If you do not understand these options, please consult with your attorney or contact the attorney for the Prosecution Services Unit at the address/phone number listed at the bottom of this form.

OPTION 1. I do not dispute the allegations of fact in the Administrative Complaint, but do wish to be accorded a hearing, pursuant to Section 120.57(2), Florida Statutes, at which time I will be permitted to submit oral and/or written evidence in mitigation of the complaint to the Board.

OPTION 2. I do not dispute the allegations of fact contained in the Administrative Complaint and waive my right to object or to be heard. I request that the Board enter a final order pursuant to Section 120.57, Florida Statutes.

OPTION 3. I do dispute the allegations of fact contained in the Administrative Complaint and request this to be considered a petition for formal hearing, pursuant to Sections 120.569(2)(a) and 120.67(1), Florida Statutes, before an Administrative Law Judge appointed by the Division of Administrative Hearings. I specifically dispute the following paragraphs of the Administrative Complaint:

In addition to the above selection, I also elect the following:

- I accept the terms of the Settlement Stipulation, have signed and am returning the Settlement Stipulation or I am interested in settling this case.
I do not wish to continue practicing, have signed and returned the voluntary relinquishment of license form, if it has been provided.

Regardless of which option I have selected, I understand that I will be given notice of time, date, and place when this matter is to be considered by the Board for Final Action. Mediation under Section 120.673, Florida Statutes, is not available in this matter.

(Please sign and complete all the information below.)

Respondent: RAMONA ABED
Address: 1420 Brickell Bay Drive, #501
Miami, FL 33131
Lic. No. 22605
Phone No. 305-374-4167
Fax No.

STATE OF FLORIDA
COUNTY OF DADE

Before me, personally appeared RAMONA ABED whose identity is known to me or by PASSPORT (type of identification) and who, acknowledges that his/her signature appears above. Sworn to or affirmed by Affiant before me this 27 day of May, 2010.

Notary Public State of Florida
TERESA LEON

My Commission Expires 5/18/2012
TERESA DE JESUS LEON
MY COMMISSION #00775563
EXPIRES MAY 18, 2012

PLEASE MAIL AND/OR FAX COMPLETED FORM TO: Michael J San Filippo, Assistant General Counsel, DOH, Prosecution Services Unit, 4062 Bald Cypress Way, Suite C-45, Tallahassee, Florida 32309-3305. Telephone Number: (904) 245-4640; FAX (904) 245-4671; TDD 1-800-365-8771.

TERESA DE JESUS LEON
MY COMMISSION #00775563
EXPIRES MAY 18, 2012
Banded This Notary Public's Seal

17986

BMC TAX & ACCOUNTING
MEDICAL STAFF
05/26/2010 14:06
05/12/2010 01:28



**STATE OF FLORIDA  
DEPARTMENT OF HEALTH**

**DEPARTMENT OF HEALTH,**

**PETITIONER,**

**v.**

**CASE NO. 2009-20754**

**RAMONA P. ABED, M.D.,**

**RESPONDENT.**

---

**ADMINISTRATIVE COMPLAINT**

**COMES NOW**, Petitioner, Department of Health, by and through its undersigned counsel, and files this Administrative Complaint before the Board of Medicine against the Respondent, **RAMONA P. ABED, M.D.**, and in support thereof alleges:

1. Petitioner is the state department charged with regulating the practice of Medicine pursuant to Section 20.43, Florida Statutes; Chapter 456, Florida Statutes; and Chapter 458, Florida Statutes.

2. At all times material to this Complaint, Respondent was a licensed physician within the State of Florida, having been issued license number ME 22605. Respondent is also Board Certified in Psychiatry.



3. Respondent's address of record is 1420 Brickell Bay Drive, Unit #501, Miami, Florida 33131.

4. The Practitioner Auditing Services Unit conducted a random audit of Respondent's continuing educational requirements for the February 1, 2007 – January 31, 2009, licensure period.

5. The audit disclosed that Respondent had failed to provide proof of completion of the required thirty-eight (38) hours of Board approved continuing medical general education hours, and the two (2) continuing medical education hours for the prevention of medical errors course, for the reporting period of February 1, 2007 – January 31, 2009.

6. Section 456.013(6) of the Florida Statutes (2008), provides in pertinent part:

(6) As a condition of renewal of a license, the Board of Medicine . . . shall . . . require licensees . . . to periodically demonstrate their professional competency by completing at least 40 hours of continuing education every 2 years. . . . Each of such boards shall determine whether any specific continuing education requirements not otherwise mandated by law shall be mandated and shall approve criteria for, and

the content of, any continuing education mandated by such board.

7. Section 456.013(7) of the Florida Statutes (2008), further provides in pertinent part:

7) The boards . . . shall require the completion of a 2-hour course relating to prevention of medical errors as part of the licensure and renewal process. The 2-hour course shall count towards the total number of continuing education hours required for the profession.

8. Rule 64B8-13005 of the Florida Administrative Code (2009), provides in pertinent part:

(1) Every physician licensed pursuant to Chapter 458, F.S., shall be required to complete 40 hours of continuing medical education courses approved by the Board in the 24 months preceding each biennial renewal period as established by the Department . . .

(c) Completion of two hours of continuing medical education relating to prevention of medical errors . . .

9. The Board's requirement that licensed physicians complete forty (40) hours of continuing medical education courses, including two (2) hours for the prevention of medical errors in the twenty-four (24) months

preceding each biennial renewal period is a statutory and a legal obligation and which Respondent failed to comply with, at all.

10. Section 458.331(1)(g) of the Florida Statutes (2008), provides that failing to perform any statutory or legal obligation placed upon a licensed physician constitutes grounds for disciplinary action by the Board of Medicine.

11. On or about July 17, 2009, the Department provided written notice to the Respondent, advising that she had been randomly selected for an audit compliance regarding the continuing medical education requirements for the reporting period of February 1, 2007 – January 31, 2009, and the audit disclosed that Respondent was in noncompliance with Rule 64B8-13005, Florida Administrative Code (2009), and Section(s) 456.013(6), 456.013(7), 458.331(1)(g), Florida Statutes (2008).

12. As a result of the noncompliance, the Department directed Respondent to submit documentary proof, postmarked no later than August 7, 2009, reflecting completion of the forty (40) hours of continuing medical education courses, including two (2) continuing medical education hours for the prevention of medical errors course. Respondent failed to respond to the Department.

13. On or about October 27, 2009, and once again on or about December 22, 2009, a Uniform Non-disciplinary Citation (citation) was issued to Respondent by the Department in an attempt to resolve Respondent's failure to provide proof of the required continuing medical education credits.

14. Respondent was advised that she could elect not to dispute the citation by tendering a fine of five thousand dollars (\$5,000.00), costs in the amount of seventy-five dollars (\$75.00), and to complete all incomplete continuing medical education credits within twelve (12) months from the date of the final order, and to submit to an ongoing audit for the next two (2) biennia to ensure compliance with renewal requirements.

15. Alternatively, Respondent was advised that she could dispute the allegations in the citation, and have her case prosecuted under Section 456.073, Florida Statutes (2008).

16. On or about January 03, 2010, Respondent returned the signed citation, expressly rejected the non-disciplinary citation, and opted to have the case prosecuted.

17. Enclosed with the citation, Respondent's husband drafted a letter on behalf of Respondent. Respondent's husband maintains that

Respondent "did complete all CME requirements for the period February 1, 2007 to January 31, 2009." He states that "[s]he (Respondent) attended an annual conference hosted and organized by the Cuban Medical Association during said time period. Said conference allots 40 CME credit hours including a 2-hour course in Prevention of Medical Errors. However my wife (Respondent) has misplaced the certificate issued the conference [and is requesting an extension to provide proof of compliance]."

18. As of March 12, 2009, Respondent has failed to document completion of the required thirty-eight (38) continuing medical education general hours, and the two (2) continuing medical education hours for the prevention of medical errors course, during February 1, 2007 – January 31, 2009, biennium, in violation of Rule 64B8-13.005, Florida Administrative Code, and Section(s) 456.13(6) and 456.13(7), Florida Statutes (2008),

19. Based upon the foregoing, Respondent has violated Section 458.331(1)(g), Florida Statutes (2008), by failing to perform any statutory or legal obligation placed upon a licensed physician which constitutes grounds for disciplinary action by the Board.

**WHEREFORE**, Petitioner respectfully requests that the Board of Medicine enter an order imposing one or more of the following penalties:

permanent revocation or suspension of Respondent's license, restriction of practice, imposition of an administrative fine, issuance of a reprimand, placement of Respondent on probation, corrective action, refund of fees billed or collected, remedial education and/or any other relief that the Board deems appropriate.

SIGNED this 30th day of April, 2010.

Ana M. Viamonte Ros, M.D., M.P.H.  
State Surgeon General



Michael J. San Filippo  
Assistant General Counsel  
Florida Bar # 848719  
DOH Prosecution Services Unit  
4052 Bald Cypress Way, Bin C-65  
Tallahassee, FL 32399-3265  
(850) 245-4640 - Telephone  
(850) 245-4681 - Facsimile

FILED  
DEPARTMENT OF HEALTH  
DEPUTY CLERK  
CLERK *Angel Sanders*  
DATE *May 03 2010*

MJS/sdw

PCP: April 30, 2010

PCP MEMBERS: El-Bahri, Tucker and Mullins

**RAMONA P. ABED, M.D., DOH CASE NO. 2009-20754**

**NOTICE OF RIGHTS**

**Respondent has the right to request a hearing to be conducted in accordance with Section 120.569 and 120.57, Florida Statutes, to be represented by counsel or other qualified representative, to present evidence and argument, to call and cross-examine witnesses and to have subpoena and subpoena duces tecum issued on his or her behalf if a hearing is requested.**

**NOTICE REGARDING ASSESSMENT OF COSTS**

**Respondent is placed on notice that Petitioner has incurred costs related to the investigation and prosecution of this matter. Pursuant to Section 456.072(4), Florida Statutes, the Board shall assess costs related to the investigation and prosecution of a disciplinary matter, which may include attorney hours and costs, on the Respondent in addition to any other discipline imposed.**