

**STATE OF FLORIDA  
DEPARTMENT OF HEALTH**

**DEPARTMENT OF HEALTH,**

**PETITIONER,**

**v.**

**CASE NUMBER 2018-15881**

**MARK GEORGE AGRESTI, M.D.,**

**RESPONDENT.**

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**ADMINISTRATIVE COMPLAINT**

Petitioner Department of Health hereby files this Administrative Complaint before the Board of Medicine against Respondent Mark George Agresti, M.D., and alleges:

1. 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.

2. At all times material to this Complaint, Respondent was a licensed medical doctor within the State of Florida, having been issued license number ME 60460.

3. Respondent's address of record is 44 Cocoanut Row, Suite M202, Palm Beach, FL 33480.

4. At all times material to this Complaint, Respondent was a licensed physician within the State of Florida, having been issued license number ME60460.

5. On or about May 27, 2022, Respondent was found guilty of the felony charges of Health Care Fraud under 18 U.S. Code Section 1347, and Conspiracy to Commit Healthcare Fraud under 18 U.S. Code Section 1349, in the United States District Court for the Southern District of Florida.

6. Section 456.072(1)(II), Florida Statutes (2021), subjects a licensee to discipline for being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, a crime in any jurisdiction which relates to health care fraud.

7. Based on the forgoing, Respondent violated Section 456.072(1)(II), Florida Statutes (2021), by being convicted of the felony charges of Health Care Fraud under 18 U.S. Code Section 1347, and Conspiracy to Commit Healthcare Fraud under 18 U.S. Code Section 1349.

WHEREFORE, the 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 the 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 23rd day of September, 2022

Joseph A. Ladapo, MD, PhD  
State Surgeon General

Hunter Pattison

Hunter Pattison  
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**FILED**  
**DEPARTMENT OF HEALTH**  
**DEPUTY CLERK**  
**CLERK: Elizabeth Eubanks**  
**DATE: September 26, 2022**

PCP Date: September 23, 2022  
PCP Members: Georges El-Bahri, M.D., Hector Vila, M.D., Maria Garcia

## **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. A request or petition for an administrative hearing must be in writing and must be received by the Department within 21 days from the day Respondent received the Administrative Complaint, pursuant to Rule 28-106.111(2), Florida Administrative Code. If Respondent fails to request a hearing within 21 days of receipt of this Administrative Complaint, Respondent waives the right to request a hearing on the facts alleged in this Administrative Complaint pursuant to Rule 28-106.111(4), Florida Administrative Code. Any request for an administrative proceeding to challenge or contest the material facts or charges contained in the Administrative Complaint must conform to Rule 28-106.2015(5), Florida Administrative Code. Mediation under Section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.**

## **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.**