

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

Petitioner,

v.

DOH CASE NO.: 2019-28949

LISA RACHEL HALPERN, M.D.,

Respondent.

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ADMINISTRATIVE COMPLAINT

Petitioner, Department of Health, by and through its undersigned counsel, files this Administrative Complaint before the Board of Medicine against Respondent, Lisa Rachel Halpern, 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 physician within the state of Florida, having been issued license number ME 124528.

3. Respondent's address of record is 11550 Old Georgetown Road 628 North Bethesda, Maryland 20852.

4. At all times material to this complaint, Respondent was a licensed physician within the state of Maryland, having been issued Maryland license number D45639.

5. The Maryland Board of Physicians (the "Maryland Board") is the licensing authority charged with regulating the practice of medicine in Maryland.

6. On March 29, 2019, the Maryland Board concluded that the Respondent violated the Maryland Medical Practice Act for failing to meet the appropriate standard of care by prescribing medication without clear justification, failing to adequately diagnosis patients, failing to adequately assess patients' mental status, and for failing to keep adequate medical records.

7. The Maryland Board ordered that the Respondent be officially reprimanded and further ordered that the Respondent be placed on probation for a minimum period of one year.

8. The Order by the Maryland Board that reprimanded Respondent and placed her on probation constitutes an action against Respondent's license to practice medicine in Maryland.

9. Section 458.331(1)(b), Florida Statutes (2019), provides that having a license or the authority to practice medicine revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of any jurisdiction, including its agencies and subdivisions, is grounds for discipline.

10. On or about June 18, 2019, the Maryland Board acted against Respondent's medical license by officially reprimanding her and placing her license on probation for not less than one year.

11. Based on the foregoing, Respondent has violated section 458.331(1)(b), Florida Statutes (2019), by having her license acted against by the licensing authority of Maryland.

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 10th day of January, 2020.

SCOTT A. RIVKEES, M.D.
State Surgeon General

FILED

DEPARTMENT OF HEALTH
DEPUTY CLERK

CLERK: *Amber Morris*
DATE: JAN 10 2020

PREPARED BY:

Andrew Perrin

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PCP Date: January 10, 2020

PCP Members: Mark Avila, M.D., Kevin Cairns, M.D., Andre Perez

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.