

FILED DATE - FEB 16 2024

Department of Health

By: *[Signature]*
Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF MEDICINE

DEPARTMENT OF HEALTH,

Petitioner,

vs.

DOH CASE NO.: 2020-31933
LICENSE NO.: ME00130284

FRANCO SICURO, M.D.,

Respondent.

FINAL ORDER

THIS CAUSE came before the BOARD OF MEDICINE (Board) on February 2, 2024, in Jacksonville, Florida, for the purpose of considering Respondent's offer to voluntarily relinquish his license to practice medicine in the State of Florida. (Attached hereto as Exhibit A.) Said written offer of relinquishment specifically provides that Respondent agrees to never again apply for licensure as a physician in the State of Florida.

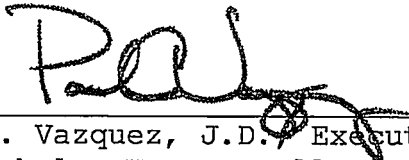
Upon consideration of the written offer of voluntary relinquishment, the charges, and the other documents of record, and being otherwise fully advised in the premises,

IT IS HEREBY ORDERED that Respondent's Voluntary Relinquishment of his 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 15th day of February, 2024.

BOARD OF MEDICINE



Paul A. Vazquez, J.D., Executive Director
For Nicholas W. Romanello, Esquire, 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: Franco Sicuro, M.D., 14798 Brook Hill Dr., Chesterfield, MO 63017; by email to: Andrew Pietrylo, Chief Legal Counsel, Department of Health, at Andrew.Pietrylo@flhealth.gov; and Christopher R. Dierlam, Assistant Attorney General, at Christopher.Dierlam@myfloridalegal.com this 16 day of February, 2024.



Deputy Agency Clerk

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK

CLERK: *Elizabeth Eubanks*

DATE: November 13, 2023

STATE OF FLORIDA
BOARD OF MEDICINE

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NO. 2020-31933

FRANCO SICURO, MD

RESPONDENT.

_____ /

VOLUNTARY RELINQUISHMENT OF LICENSE

Respondent, **Franco Sicuro, MD**, license number **ME130284**, hereby voluntarily relinquishes Respondent's license to practice as a Medical Doctor in the State of Florida and states as follows:

1. Respondent's purpose in executing this Voluntary Relinquishment 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 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 will be reported to the National Practitioner 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 Medical Doctor in the State of Florida.

3. Respondent agrees to voluntarily cease practicing as a Medical Doctor immediately upon executing this Voluntary Relinquishment. Respondent further agrees to refrain from practicing as a Medicine Doctor until such time as this Voluntary Relinquishment 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, 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 by the public. Respondent understands that this waiver of confidentiality is a permanent, non-revocable waiver.

5. 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 a determination of probable cause, by the Probable Cause Panel, or the Department when appropriate, pursuant to section 456.073(4), Florida Statutes.

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

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

8. 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. Respondent agrees that consideration of this Voluntary Relinquishment 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 are not accepted by the Board.

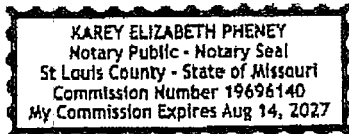
DATED this 31st day of October, 2023.

FRANCO
FRANCO SICURO, MD
Case No. 2020-31933

STATE OF Missouri

COUNTY OF St. Louis

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 31st day of October, ²⁰²³~~2020~~, by Karey Elizabeth Phenev.



Karey Elizabeth Phenev

Signature of Notary Public
Print, Type or Stamp Commissioned name of Notary Public
My Commission Expires:

Personally Known OR Produced Identification _____

Type of Identification Produced _____

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

Petitioner,

v.

CASE NO.: 2020-31933

FRANCO SICURO, M.D.,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

Petitioner, Department of Health, by and through its undersigned counsel, hereby files this Administrative Complaint before the Board of Medicine against Respondent, Franco Sicuro, M.D., and alleges in support therein:

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 130284.

3. Respondent's address of record is 14798 Brook Hill Drive, Chesterfield, MO, 63017.

4. On or about November 12, 2022, in the United States District Court for the Eastern District of Missouri, in case number 4:20-CR-00568-SEP(1), Respondent pled guilty to one count of Conspiracy to Commit Offense Against the United States, in violation of 18 U.S.C. § 371.

5. The Conspiracy was to defraud the United States, the Centers for Medicare and Medicaid Services through deceit, craft, or trickery to obtain payment for health care benefits, items, or services.

6. Health Care Fraud (including Medicare and Medicaid) is a crime that relates to Respondent's practice of, or his ability to practice, medicine.

7. Section 456.072(1)(c), Florida Statutes (2022), subjects a licensee to discipline for being convicted or found guilty of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the practice of, or the ability to practice, a licensee's profession.

8. On November 12, 2022, Respondent pled guilty to one count of Conspiracy to Commit Offense Against the United States, in violation of 18

U.S.C. § 371; a crime which relates to his practice of, or his ability to practice, medicine.

9. Based on the foregoing, Respondent violated section 456.072(1)(c), Florida Statutes (2022).

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.

[signature on following page]

SIGNED this 27th day of September 2023.

Joseph A. Ladapo, MD, PhD
State Surgeon General

Kathryn Ball

Kathryn Ball
Assistant General Counsel
Fla. Bar No.: 84060
Florida Department of Health
Office of the General Counsel
4052 Bald Cypress Way, Bin C-65
Tallahassee, Florida 32399-3265
Telephone: (850) 558-9849
Facsimile: (850) 245-4684
Email: Kathryn.Ball@flhealth.gov

FILED

**DEPARTMENT OF HEALTH
DEPUTY CLERK**

CLERK: *Elizabeth Eubanks*

DATE: September 27, 2023

PCP Date: September 22, 2023

PCP Members: Dr. El-Bahri, Dr. Vila, Mr. 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.