

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NUMBER 2020-32050

JOSE SANTEIRO, M.D.,

RESPONDENT.

_____ /

ADMINISTRATIVE COMPLAINT

Petitioner Department of Health hereby files this Administrative Complaint before the Board of Medicine against Respondent Jose Santeiro, 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 69516.

3. Respondent's address of record is 8436 Dundee Terrace, Miami Lakes, FL 33016.

4. On or about March 24, 2022, Respondent was found guilty of one count of Conspiracy to Commit Health Care Fraud under Title 18, United States Code, Section 1349, and eight counts of Health Care Fraud under Title 18, United States Code, Section 1347, in the United States District Court for the Southern District of Florida.

5. The crime that Respondent pled guilty to involved a violation of the personal qualities essential to the sound practice of medicine. Respondent's actions reflect a lack of integrity, a lack of respect for the well-being of others, and a violation of the trust society places in physicians. Therefore, the crime relates to the practice of medicine.

6. Respondent failed to timely report, in writing, the March 24, 2022 conviction for Conspiracy to Commit Health Care Fraud and Health Care Fraud, in the United States District Court for the Southern District of Florida, to the Board of Medicine.

COUNT I

7. Petitioner re-alleges and incorporates by reference paragraphs one (1) through six (6), as if fully set forth herein.

8. Section 458.331(1)(c), Florida Statutes (2021), subjects a licensee to discipline for being convicted or found guilty of, or entering a plea

of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of medicine or the ability to practice medicine.

9. Respondent was found guilty of Conspiracy to Commit Health Care Fraud under Title 18, United States Code, Section 1349, and Health Care Fraud under Title 18, United States Code, Section 1347, which directly relate to the practice of medicine

10. Based on the foregoing, Respondent violated section 458.331(1)(c), Florida Statutes.

COUNT II

11. Petitioner re-alleges and incorporates by reference paragraphs one (1) through six (6), as if fully set forth herein.

12. Section 456.072(x), Florida Statutes (2021), subjects a licensee to discipline for failing to report to the board, or the department if there is no board, in writing within 30 days after the licensee has been convicted of or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction.

13. Respondent has not reported his guilty conviction for Conspiracy to Commit Health Care Fraud under Title 18, United States Code, Section

1349, and Health Care Fraud under Title 18, United States Code, Section 1347, to the Florida Board of Medicine.

14. Based on the foregoing, Respondent violated section 456.072(1)(x), Florida Statutes (2021) by failing to report his guilty plea for Conspiracy to Commit Health Care Fraud and Health Care Fraud to the Florida Board of Medicine within 30 days of his conviction.

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.

[Signature on following page]

SIGNED this 27th day of March, 2023.

/s/ Jonathan Golden

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**FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK**

CLERK: Elizabeth Eubank's

DATE: March 27, 2023

PCP: March 24, 2023

PCP Members: Georges El-Bahri, M.D.; Wael Barsoum, 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.

Please be advised that mediation under Section 120.573, Florida Statutes, is not available for administrative disputes involving this agency action.

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 any other discipline imposed.