

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NUMBER 2021-40739

KATHERINE BO LEE, 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 Katherine Bo Lee, 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 74741.

3. Respondent's address of record is 3780 John Wayne Dr., Hamilton, Ohio 45011.

4. At all times material to this Complaint, Respondent was a licensed physician within the State of California, having been issued license number G-72934.

5. The Medical Board of California (California Board) is the licensing authority regulating the practice of medicine in the State of California.

6. On or about November 30, 2021, the California Board issued its Decision and Order, which became effective on or about December 30, 2021, that adopted the Stipulated Settlement and Disciplinary Order placing the Respondent on probation for four (4) years; requiring Respondent to obtain a practice monitor; prohibiting Respondent from engaging in the solo practice of medicine; prohibiting Respondent from supervising physician assistants and advance practice nurses; and requiring Respondent to complete 40 hours per year of Education Courses, a Communication Course, a Medical Record Keeping Course, and a Professionalism Program (Ethics Course) for Respondent's gross negligence, repeated negligent acts, failure to maintain adequate and accurate records, and general unprofessional conduct.

7. The California Board's action stemmed from allegations involving negligence in Respondent's care and treatment of Patient's A through T and

interactions with other staff by disparaging several patients and staff, discussing confidential matters in public, and engaging in inappropriate conversations; failing to respond to pages while on call; repeated negligent acts during the care and treatment of Patient's A through T; failing to maintain adequate and accurate medical records for Patient's Q, R, and S; and general unprofessional conduct.

8. Section 458.331(1)(b), Florida Statutes (2021), subjects a licensee to discipline for having a license or the authority to practice medicine revoked, suspended, or otherwise acted against, including denial of licensure, by the licensing authority of any jurisdiction, including its agencies or subdivisions.

9. The California Board acted against Respondent's California physician license through its Decision and Order and probationary period with conditions which became effective December 30, 2021.

10. Based on the foregoing, Respondent violated Section 458.331(1)(b), Florida Statutes (2021), by having her physician license acted against by the licensing authority of California.

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 18th day of May, 2022.

Joseph Ladapo, M.D.

State Surgeon General

/s/ Jonathan Golden

Jonathan Golden

Assistant General Counsel

Florida Bar No. 1011322

DOH-Prosecution Services Unit

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FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK

CLERK: *Elizabeth Eubanks*

DATE: MAY 18 2022

JBG/rr

PCP Date: May 13, 2022

PCP Members: Seela Ramesh, M.D., Eleonor Pimentel, 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.