

STATE OF FLORIDA  
BOARD OF MEDICINE

Final Order No. DOH-25-0062-~~FOI~~-MQA

FILED DATE - JAN 03 2025  
Department of Health

By:   
Deputy Agency Clerk

DEPARTMENT OF HEALTH,

Petitioner,

vs.

DOH CASE NO.: 2022-11053

LICENSE NO.: ME0060460

MARK GEORGE AGRESTITI, M.D.,

Respondent.

FINAL ORDER

THIS CAUSE came before the BOARD OF MEDICINE (Board) pursuant to Sections 120.569 and 120.57(2), Florida Statutes, on December 6, 2024, in Orlando, Florida, for consideration of the Administrative Complaint (attached hereto as Exhibit A) in the above-styled cause pursuant to Respondent's Election of Rights. At the hearing, the Petitioner was represented by Christina Shideler, Chief Legal Counsel. Respondent was not present. The facts are not in dispute.

Upon consideration, it is ORDERED:

1. The allegations of fact set forth in the Administrative Complaint are approved, adopted, incorporated herein by reference as the findings of fact by the Board.

2. The conclusions of law alleged and set forth in the Administrative Complaint are approved, adopted, and incorporated herein by reference as the conclusions of law by the Board.

3. The violations set forth warrant disciplinary action by the Board.

THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED:

Respondent's license to practice medicine in the State of Florida is hereby **REVOKED**.

RULING ON MOTION TO ASSESS COSTS

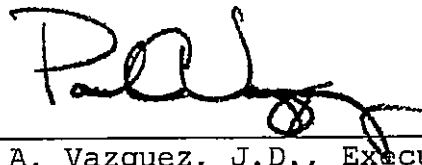
The Board reviewed the Petitioner's Motion to Assess Costs and waived costs associated with this case.

(NOTE: SEE RULE 64B8-8.0011, FLORIDA ADMINISTRATIVE CODE. UNLESS OTHERWISE SPECIFIED BY FINAL ORDER, THE RULE SETS FORTH THE REQUIREMENTS FOR PERFORMANCE OF ALL PENALTIES CONTAINED IN THIS FINAL ORDER.)

This Final Order shall take effect upon being filed with the Clerk of the Department of Health.

DONE AND ORDERED this 2nd day of January, 2025.

BOARD OF MEDICINE

A handwritten signature in black ink, appearing to read "Paul", with a stylized flourish extending to the right.

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Paul A. Vazquez, J.D., Executive Director  
For Nicholas W. Romanello, Esquire, Chair

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF HEALTH AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by Certified and U.S. Mail to: Mark George Agresti, M.D., at 44 Coconut Row, Suite M 202, Palm Beach, FL 33480 and Richard C. Klugh, Esq., at 40 Northwest 3<sup>rd</sup> Street, PH1, Miami, FL 33128; by email to: Richard C. Klug, Esq., at rklugh@klughlaw.com; Andrew Pietrylo, Chief Legal Counsel, Department of Health, at Andrew.Pietrylo@flhealth.gov; and Allison M. Dudley, Senior Assistant Attorney General, at Allison.Dudley@myfloridalegal.com this 3<sup>rd</sup> day of January, 2025.

*Anna R. Conway*

**Deputy Agency Clerk**

**Certified Article Number**  
9414 7266 9904 2224 6092 62  
**SENDER'S RECORD**

*- Respondent*

**Certified Article Number**  
9414 7266 9904 2224 6092 79  
**SENDER'S RECORD**

*- Esq.*

**STATE OF FLORIDA  
DEPARTMENT OF HEALTH**

**DEPARTMENT OF HEALTH,**

**PETITIONER,**

**v.**

**CASE NUMBER 2018-15881**

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

**RESPONDENT.**

\_\_\_\_\_ /

**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 Coconut 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  
Assistant General Counsel  
Fla. Bar No. 1011074  
Florida Department of Health  
Office of the General Counsel  
4052 Bald Cypress Way, Bin C-65  
Tallahassee, Florida 32399-3265  
Telephone: 850-558-9899  
Facsimile: 850-245-4684  
Email: Hunter.Pattison@flhealth.gov

**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.