

Final Order No. DOH-24-0231-~~File~~-MQA
FILED DATE - FEB 21 2024
Department of Health
By *Carol K. Conway*
Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF MEDICINE

DEPARTMENT OF HEALTH,

Petitioner,

vs.

DOH CASE NO.: 2023-07102
LICENSE NO.: ME0055385

PETER SANCHEZ, M.D.,

Respondent.

FINAL ORDER

THIS CAUSE came before the BOARD OF MEDICINE (Board) pursuant to Sections 120.569 and 120.57, Florida Statutes, on February 2, 2024, in Jacksonville, Florida, for consideration of the Administrative Complaint (attached hereto as Exhibit A) in the above-styled cause pursuant to Petitioner's Motion for Determination of Waiver and for Final Order by Hearing Not Involving Disputed Issues of Material Fact. Respondent was served with the Administrative Complaint by personal service. Because Respondent failed to submit an Election of Rights or otherwise dispute the facts or respond in any other way, Respondent waived the right to a hearing pursuant to Section 120.57(1), Florida Statutes. At the hearing, Petitioner was represented by Julie Andrews, Assistant General Counsel. Respondent was not present and was not represented by counsel. The facts are not in dispute.

Upon consideration, it is ORDERED:

1. The allegations of fact set forth in the Administrative Complaint are approved and adopted and 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 and 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:

1. Respondent shall be and hereby is REPRIMANDED by the Board.

2. Respondent shall pay an administrative fine in the amount of \$5,000.00 to the Board within thirty (30) days from the date the Final Order is filed. Said fine shall be paid by money order or cashier's check.

3. Respondent's license to practice medicine in the State of Florida is hereby **SUSPENDED** until such time as he demonstrates full compliance with Final Order No. DOH-21-0780-S-MQA, filed on June 17, 2021, in DOH Case Number 2012-09032.

RULING ON MOTION TO ASSESS COSTS

Respondent shall pay the costs associated with this case in the amount of \$520.97. Said costs shall be paid within 30 days

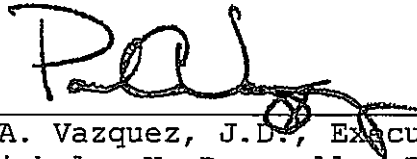
from the date the Final Order is filed. The costs shall be paid by money order or cashier's check

(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 16th day of February,
2024.

BOARD OF MEDICINE



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: Peter Sanchez, M.D., 14060 Biscayne Blvd., Apt. 317, North Miami Beach, FL 33181; by email to: Andrew Pietrylo, Chief Legal Counsel, Department of Health, at Andrew.Pietrylo@flhealth.gov; and Christopher R. Dierlam, Senior Assistant Attorney General, at Christopher.Dierlam@myfloridalegal.com this 21st day of February, 2024.

Amy R. Conway

Deputy Agency Clerk

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**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

PETITIONER,

v.

DOH Case No. 2023-07102

PETER SANCHEZ, M.D.,

RESPONDENT.

_____ /

ADMINISTRATIVE COMPLAINT

Petitioner, Department of Health, hereby files this Administrative Complaint before the Board of Medicine against Respondent Peter Sanchez, 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 55385.

3. Respondent's address of record is 14060 Biscayne Blvd. Apt. 317, North Miami Beach, Florida 33181.

Exhibit A

4. On or about June 17, 2021, the Board of Medicine filed its Final Order in Department of Health v. Peter Sanchez, M.D., DOH Case Number 2012-09032.

5. Among other terms, the Final Order required that Respondent do the following within one (1) year from the date of the filing of the Final Order:

- a. pay an administrative fine ("the fine") of twenty thousand dollars (\$20,000);
- b. pay the Department's costs ("the costs") in the amount of twelve thousand, eight hundred and six dollars and twenty-four cents (\$12,806.24); and
- c. document completion of Continuing Medical Education ("CME") in "Risk Management."

6. Respondent did not pay the fine or the costs and did not submit documentation of completion of the CME in Risk Management within one year from the date the Final Order was filed.

7. Section 458.331(1)(x), Florida Statutes (2021), provides that violating a lawful order of the Board previously entered in a disciplinary hearing constitutes grounds for disciplinary action by the Board.

8. Respondent violated a lawful order of the Board entered in a disciplinary hearing by failing to pay the fine and costs within one year from the date the Final Order was filed and by failing to submit documentation of completion of a Risk Management CME within one year from the date the Final Order was filed.

9. Based on the foregoing, Respondent has violated section 458.331(1)(x), Florida Statutes (2021), by violating a lawful order of the Board previously entered in a disciplinary hearing.

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 31st day of July 2023.

Joseph Ladapo, MD, PhD
State Surgeon General

Corynn Alberto

Corynn Alberto
Assistant General Counsel
Florida Bar Number 068814
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Office of the General Counsel
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Tallahassee, Florida 32399-3265
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Email: Corynn.alberto@flhealth.gov

FILED

**DEPARTMENT OF HEALTH
DEPUTY CLERK**

CLERK: Elizabeth Eubank

DATE: August 01, 2023

PCP Date: July 28, 2023

PCP Members: Georges El-Bahri, M.D.; Scot Ackerman, M.D.; Nicholas Romanello

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.