

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

PETITIONER,

v.

DOH Case No. 2023-09174

ZINIA THOMAS, M.D.,

RESPONDENT.

_____ /

ADMINISTRATIVE COMPLAINT

Petitioner, Department of Health, hereby files this Administrative Complaint before the Board of Medicine against Respondent Zinia Thomas, 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 147052.

3. Respondent's address of record is 13041 Tapawingo Place, Saint Louis, Missouri.

4. At all times material to this Complaint, Respondent was also a licensed physician within the state of Colorado, having been issued license number 0065524.

5. The Colorado Medical Board ("Colorado Board") is the licensing authority regulating the practice of medicine.

6. On or about On January 20, 2023, the Colorado Board entered an Order Pursuant to Section 12-240-125(8)(a), C.R.S. ("Initial Order").

7. The Initial Order was in response to reports that Respondent was in possession of a large amount of marijuana and ecstasy pills, and that Respondent qualified patient medical marijuana cards in the State of Michigan by diagnosing them with certain conditions without seeing the patients in question.

8. The Initial Order required, among other things, that Respondent to:

- a. Submit to a mental or physical examination by Colorado Physician Health Program ("CPHP"); and,
- b. Contact CPHP before January 27, 2023; and,

c. Otherwise cooperate and continue to fully cooperate with CPHP and comply with any and all requests or recommendations of CPHP.

9. On February 17, 2023, the Colorado Board reviewed communication from CPHP on January 30, 2023, that Respondent had failed to contact CPHP by January 27, 2023.

10. On or about February 28, 2023, the Colorado Board entered an Order of Suspension.

11. The Order of Suspension stipulated that Respondent's Colorado medical license is suspended indefinitely, until Respondent comes into compliance with CPHP's orders, Respondent is appropriately evaluated, and the Colorado Board reviews Respondent's request of suspension termination.

12. The February 28, 2023, Order of Suspension constitutes action taken against Respondent's Colorado medical license.

13. Section 458.331(1)(b), Florida Statutes (2022), 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.

14. The licensing authority of Colorado acted against Respondent's medical license through its Order of Suspension issued on February 28, 2023.

15. Based on the foregoing, Respondent violated section 458.331(1)(b), Florida Statutes (2022), by having her medical license acted against by licensing authority of Colorado.

WHEREFORE, Petitioner respectfully requests that the Board 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.

[signatures on following page]

SIGNED this 11th day of September, 2023.

Joseph Ladapo, MD, PhD
State Surgeon General

Corynn Alberto

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FILED

**DEPARTMENT OF HEALTH
DEPUTY CLERK**

CLERK: Elizabeth Eubanks

DATE: September 11, 2023

PCP Date: September 8, 2023

PCP Members: Dr. Orr, Dr. Wasylik, Ms. Justice

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.