

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

PETITIONER,

v.

DOH Case No. 2023-32975

WOJCIECH ZOLCIK, M.D.,

RESPONDENT.

_____ /

ADMINISTRATIVE COMPLAINT

Petitioner, Department of Health, hereby files this Administrative Complaint before the Board of Medicine against Respondent Wojciech Zolcik, 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 129853.

3. Respondent's address of record is 2635 East Cedar Avenue, Denver, Colorado 80209.

4. At all times material to this Complaint, Respondent was also a licensed physician within the state of Washington, having been issued license number MD.60212421.

5. The Washington Medical Commission ("Washington Board") is the licensing authority regulating the practice of medicine in the state of Washington.

6. On July 13, 2023, the Washington Board accepted a Stipulation to Informal Disposition (Stipulation) to resolve allegations that Respondent had engaged in unprofessional conduct – specifically, that Respondent had pled guilty to driving under the influence in the state of Colorado.

7. Pursuant to the Stipulation, Respondent was required to undergo an evaluation with the Washington Physicians Health Program (WPHP) and comply with WPHP's recommendations (if any) following the evaluation.

8. The July 13, 2023, Stipulation constitutes action taken against Respondent's Washington medical license.

9. Section 458.331(1)(b), Florida Statutes (2023), 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.

10. The licensing authority of Washington acted against Respondent's medical license through its July 13, 2023, Stipulation.

11. Based on the foregoing, Respondent violated section 458.331(1)(b), Florida Statutes (2023).

WHEREFORE, the Petitioner respectfully requests that the Board of Medicine enters 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.

[signatures on the following page]

SIGNED this 15th day of November, 2023.

Joseph Ladapo, MD, PhD
State Surgeon General

Corynn Alberto

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FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK: *Elizabeth Eubanks*
DATE: November 15, 2023

PCP Date: November 9, 2023
PCP Members: Dr. Rosenberg; Dr. Pimentel

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.

