

**STATE OF FLORIDA
BOARD OF OSTEOPATHIC MEDICINE**

DEPARTMENT OF HEALTH,

Petitioner,

v.

CASE NO.: 2024-10598

JOSEPH M. PALUMBO, D.O.,

Respondent.

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ADMINISTRATIVE COMPLAINT

Petitioner, Department of Health, files this Administrative Complaint before the Board of Osteopathic Medicine against Respondent, Joseph M. Palumbo, D.O., and in support thereof alleges:

1. Petitioner is the state agency charged with regulating the practice of osteopathic medicine pursuant to Section 20.43, Florida Statutes; Chapter 456, Florida Statutes; and Chapter 459, Florida Statutes.

2. At all times material to this Complaint, Respondent was licensed to practice as an osteopathic physician within the state of Florida, having been issued license number OS 15556.

3. Respondent's address of record is 584 Clinton Lane, Highland Heights, Ohio, 44143.

4. At all times material to this complaint, Respondent was also licensed to practice medicine in the State of Virginia by the Virginia Board of Medicine ("Virginia Board"), the licensing authority regulating the practice of osteopathic medicine in Virginia.

5. On or about November 15, 2023, the Virginia Board took action against Respondent's Virginia medical license, No. 0102-205333, via a Consent Order ("Order").

6. In the Order, the Virginia Board concluded Respondent aided and abetted the unlicensed practice of medicine.

7. The Order was premised on findings that, as medical director of IV vitamin infusion facilities in Virginia and as owner of a *locum tenens* agency, Respondent authorized facility staff to perform, outside his discretion, control, and/or supervision, duties requiring exercise of professional judgement and to administer intravenous medication.

8. Section 459.015(1)(b), Florida Statutes (2023), provides that having a license or the authority to practice osteopathic medicine revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of any jurisdiction, including its agencies or

subdivisions, constitutes grounds for disciplinary action by the Board of Osteopathic Medicine.

9. On or about November 15, 2023, the Virginia Board took action against Respondent's Virginia license to practice osteopathic medicine through the Order.

10. Based on the foregoing, Respondent violated section 459.015(1)(b).

WHEREFORE, the Petitioner respectfully requests that the Board of Osteopathic 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.

[signature on next page]

SIGNED this 24th day of June, 2025.

Joseph A. Ladapo, MD, PhD
State Surgeon General

/s/ Andrew J. Pietrylo, Jr.

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FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK *Amy Conaway*
DATE **JUN 24 2025**

PCP Date: April 8, 2025

PCP Members: Dr. Rose, Dr. Kirsh, Dr. Mendez

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.