

STATE OF FLORIDA
DEPARTMENT OF PROFESSIONAL REGULATION

DEPARTMENT OF PROFESSIONAL
REGULATION,

Petitioner,

vs.

HUGO WALDHEIM, M.D.,

Respondent.

CASE NO. 0027975

ADMINISTRATIVE COMPLAINT

COMES NOW the Department of Professional Regulation, hereinafter referred to as "Petitioner," and files this Administrative Complaint against Hugo Waldheim, M.D., hereinafter referred to as "Respondent," and alleges:

1. Petitioner seeks to revoke, suspend or take other disciplinary action against Respondent as licensee and against his license to practice medicine under the laws of the State of Florida.

2. Respondent is a licensed medical physician having been issued license number ME 0007474.

3. Respondent's last known address is 1915 Northeast 45 Street, Ft. Lauderdale, Florida.

COUNT ONE

4. Between the dates of approximately January 21, 1982 and August 30, 1982, Respondent prescribed the following quantities of Dilaudid, a Schedule II controlled substance pursuant to Chapter 893, Florida Statutes, for D [REDACTED] P [REDACTED]:

<u>DATE</u>	<u>QUANTITY</u>
01/21/82	36
01/25/82	50
02/01/82	50
02/12/82	55
02/16/82	60
03/04/82	60
03/09/82	60

03/12/82	60
03/17/82	70
03/23/82	70
03/26/82	70
03/30/82	70
04/05/82	70
04/15/82	70
04/22/82	70
04/26/82	70
04/29/82	70
05/03/82	70
05/17/82	70
05/20/82	70
05/24/82	70
05/31/82	70
06/03/82	70
06/07/82	70
06/14/82	70
06/17/82	70
06/21/82	70
06/28/82	70
07/05/82	70
07/08/82	70
07/12/82	70
07/19/82	70
07/26/82	70
07/29/82	70
08/02/82	70
08/05/82	70
08/09/82	70
08/16/82	70
08/23/82	70
08/26/82	70
08/30/82	70

5. Respondent did not prescribe the above described controlled substances to D█████ P█████ for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

6. Based upon the foregoing, Respondent has violated Section 458.331(1)(g), Florida Statutes, in prescribing a controlled substance other than in the course of his professional practice; Section 893.05(1), Florida Statutes, in failing to prescribe controlled substances in good faith and in the course of his professional practice; Section 458.331(1)(h), Florida Statutes, by failing to perform any statutory or legal obligation placed upon a licensed physician; and, Section 458.331(1)(i), Florida Statutes, in making deceptive, untrue, or fraudulent representations in the practice of medicine or employing a trick or scheme in the practice of medicine.

COUNT TWO

7. Between the dates of approximately January 19, 1982 and October 22, 1982, Respondent prescribed the following quantities of Schedule controlled substances pursuant to Chapter 893, Florida Statutes, for R [REDACTED] R [REDACTED]:

<u>DATE</u>	<u>QUANTITY</u>	<u>CONTROLLED SUBSTANCE</u>
01/19/82	100	Valium
01/19/82	18	Placidyl
06/07/82	50	Demerol
07/01/82	50	Demerol
07/08/82	50	Demerol
07/12/82	50	Demerol
07/19/82	50	Demerol
07/20/82	50	Demerol
08/03/82	50	Demerol
08/10/82	50	Demerol
08/12/82	50	Demerol
09/22/82	50	Demerol
10/06/82	50	Demerol
10/17/82	50	Demerol
10/22/82	50	Demerol

8. Respondent did not prescribe the above described controlled substances to R [REDACTED] R [REDACTED] for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

9. Based upon the foregoing, Respondent has violated Section 458.331(1)(g), Florida Statutes, in prescribing controlled substances other than in the course of his professional practice; Section 893.05(1), Florida Statutes, in failing to prescribe controlled substances in good faith and in the course of his professional practice; Section 458.331(1)(h), Florida Statutes, by failing to perform any statutory or legal obligation placed upon a licensed physician; and, Section 458.331(1)(i), Florida Statutes, in making deceptive, untrue, or fraudulent representations in the practice of medicine or employing a trick or scheme in the practice of medicine.

COUNT THREE

10. Between the dates of approximately May 21, 1981 and September 7, 1982, Respondent prescribed the following quantities

of Dilaudid, a Schedule II controlled substance pursuant to Chapter 893, Florida Statutes, for S [REDACTED] H [REDACTED]:

<u>DATE</u>	<u>QUANTITY</u>
05/21/81	14
12/03/81	16
12/08/81	13
12/11/81	26
12/15/81	20
04/30/82	12
05/26/82	14
05/31/82	14
06/02/82	14
06/05/82	18
06/10/82	14
06/12/82	18
06/17/82	28
06/25/82	28
06/28/82	28
07/03/82	28
07/08/82	28
07/14/82	28
07/20/82	27
07/26/82	24
07/30/82	24
08/06/82	24
08/11/82	24
08/17/82	24
08/23/82	24
08/30/82	24
09/07/82	16

11. Respondent did not prescribe the above described controlled substances to S [REDACTED] H [REDACTED] for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

12. Based upon the foregoing, Respondent has violated Section 458.331(1)(g), Florida Statutes, in prescribing a controlled substance other than in the course of his professional practice; Section 893.05(1), Florida Statutes, in failing to prescribe controlled substances in good faith and in the course of his professional practice; Section 458.331(1)(h), Florida Statutes, by failing to perform any statutory or legal obligation placed upon a licensed physician; and, Section 458.331(1)(1), Florida Statutes, in making deceptive, untrue, or fraudulent representations in the practice of medicine or employing a trick or scheme in the practice of medicine.

COUNT FOUR

13. Between the dates of approximately October 29, 1981 and December 15, 1981, Respondent prescribed the following quantities of Dilaudid, a Schedule II controlled substance pursuant to Chapter 893, Florida Statutes, for G. [REDACTED] I. [REDACTED]:

<u>DATE</u>	<u>QUANTITY</u>
10/29/81	18
11/02/81	18
11/06/81	16
11/13/81	32
11/20/81	26
11/24/81	6
11/24/81	46
12/01/81	20
12/04/81	24
12/08/81	24
12/11/81	20
12/14/81	12
12/15/81	40

14. Respondent did not prescribe the above described controlled substances to G. [REDACTED] I. [REDACTED] for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

15. Based upon the foregoing, Respondent has violated Section 458.331(1)(g), Florida Statutes, in prescribing a controlled substance other than in the course of his professional practice; Section 893.05(1), Florida Statutes, in failing to prescribe controlled substances in good faith and in the course of his professional practice; Section 458.331(1)(h), Florida Statutes, by failing to perform any statutory or legal obligation placed upon a licensed physician; and, Section 458.331(1)(i), Florida Statutes, in making deceptive, untrue, or fraudulent representations in the practice of medicine or employing a trick or scheme in the practice of medicine.

COUNT FIVE

16. Between the dates of approximately July 8, 1982 and September 7, 1982, Respondent prescribed the following quantities of Dilaudid, a Schedule II controlled substance pursuant to Chapter 893, Florida Statutes, for J. [REDACTED] K. [REDACTED]:

<u>DATE</u>	<u>QUANTITY</u>
07/08/82	10
07/09/82	20
07/15/82	20
07/19/82	20
07/27/82	30
08/02/82	28
08/09/82	28
08/12/82	20
08/17/82	10
08/18/82	24
09/07/82	18

17. Respondent did not prescribe the above described controlled substances to J. Z. for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

18. Based upon the foregoing, Respondent has violated Section 458.331(1)(g), Florida Statutes, in prescribing a controlled substance other than in the course of his professional practice; Section 893.05(1), Florida Statutes, in failing to prescribe controlled substances in good faith and in the course of his professional practice; Section 458.331(1)(h), Florida Statutes, by failing to perform any statutory or legal obligation placed upon a licensed physician; and, Section 458.331(1)(i), Florida Statutes, in making deceptive, untrue, or fraudulent representations in the practice of medicine or employing a trick or scheme in the practice of medicine.

COUNT SIX

19. Between the dates of approximately August 19, 1982 and September 24, 1982, Respondent prescribed the following quantities of Schedule II controlled substances pursuant to Chapter 893, Florida Statutes, for S. G.:

<u>DATE</u>	<u>QUANTITY</u>	<u>CONTROLLED SUBSTANCE</u>	<u>STRENGTH</u>
08/09/82	50	Percocet	#5
08/28/82	24	Demerol	
08/30/82	50	Percocet	#5
08/30/82	10	Demerol	
09/03/82	50	Demerol	
09/09/82	50	Percocet	#5
09/09/82	24	Demerol	
09/09/82	50	Tuinal	
09/13/82	50	Percocet	#5
09/17/82	24	Seconal	
09/17/82	50	Percodan	
09/22/82	50	Percocet	#5

09/22/82	50	Demerol
09/24/82	50	Percocet
09/24/82	50	Demerol

20. Respondent did not prescribe the above described controlled substances to S█████ G█████ for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

21. Based upon the foregoing, Respondent has violated Section 458.331(1)(g), Florida Statutes, in prescribing a controlled substance other than in the course of his professional practice; Section 893.05(1), Florida Statutes, in failing to prescribe controlled substances in good faith and in the course of his professional practice; Section 458.331(1)(h), Florida Statutes, by failing to perform any statutory or legal obligation placed upon a licensed physician; and, Section 458.331(1)(i), Florida Statutes, in making deceptive, untrue, or fraudulent representations in the practice of medicine or employing a trick or scheme in the practice of medicine.

COUNT SEVEN

22. Between the dates of approximately August 10, 1981 and March 7, 1982, Respondent prescribed the following quantities of Schedule II controlled substances pursuant to Chapter 893, Florida Statutes, for K█████ S█████:

<u>DATE</u>	<u>QUANTITY</u>	<u>CONTROLLED SUBSTANCE</u>	<u>STRENGTH</u>
08/10/81	56	Percocet	5 mg.
08/15/81	10	Percocet	5 mg.
08/15/81	36	Seconal	100 mg.
08/26/81	56	Percocet	5 mg.
08/26/81	24	Seconal	100 mg.
09/02/81	56	Percocet	5 mg.
09/02/81	36	Seconal	10 mg.
09/04/81	56	Percocet	5 mg.
09/04/81	56	Percocet	5 mg.
09/11/81	56	Percocet	5 mg.
12/26/81	25	Percocet	5 mg.
12/26/81	12	Seconal	100 mg.
03/07/82	30	Percocet	5 mg.
03/07/82	20	Seconal	100 mg.

23. Respondent did not prescribe the above described controlled substances to Karl Seigel for a medically justifiable

purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

24. Based upon the foregoing, Respondent has violated Section 458.331(1)(g), Florida Statutes, in prescribing a controlled substance other than in the course of his professional practice; Section 893.05(1), Florida Statutes, in failing to prescribe controlled substances in good faith and in the course of his professional practice; Section 458.331(1)(h), Florida Statutes, by failing to perform any statutory or legal obligation placed upon a licensed physician; and, Section 458.331(1)(i), Florida Statutes, in making deceptive, untrue, or fraudulent representations in the practice of medicine or employing a trick or scheme in the practice of medicine.

COUNT EIGHT

25. Between the dates of approximately August 6, 1982 and September 16, 1982, Respondent prescribed the following quantities of Schedule II controlled substances pursuant to Chapter 893, Florida Statutes, for A██████ M██████:

<u>DATE</u>	<u>QUANTITY</u>	<u>CONTROLLED SUBSTANCE</u>
08/06/82	21	Dilaudid
08/11/82	30	Dilaudid
08/16/82	28	Dilaudid
08/18/82	10	Dilaudid
08/23/82	24	Dilaudid
08/27/82	10	Dilaudid
08/30/82	12	Dilaudid
08/30/82	23	Dilaudid
09/06/82	15	Dilaudid
09/16/82	50	Percocet #5

26. Respondent did not prescribe the above described controlled substances to A██████ A██████ for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

27. Based upon the foregoing, Respondent has violated Section 458.331(1)(g), Florida Statutes, in prescribing a controlled substance other than in the course of his professional practice; Section 893.05(1), Florida Statutes, in failing to prescribe

controlled substances in good faith and in the course of his professional practice; Section 458.331(1)(h), Florida Statutes, by failing to perform any statutory or legal obligation placed upon a licensed physician; and, Section 458.331(1)(i), Florida Statutes, in making deceptive, untrue, or fraudulent representations in the practice of medicine or employing a trick or scheme in the practice of medicine.

COUNT NINE

28. Between the dates of approximately October 27, 1981 and August 27, 1982, Respondent prescribed the following quantities of Dilaudid, a Schedule II controlled substance pursuant to Chapter 893, Florida Statutes, for W██████ G██████:

<u>DATE</u>	<u>QUANTITY</u>
10/27/81	21
11/02/81	18
11/04/81	25
03/30/82	35
04/12/82	28
04/19/82	24
04/26/82	18
05/04/82	14
08/16/82	28
08/27/82	28

29. Respondent did not prescribe the above described controlled substances to W██████ G██████ for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

30. Based upon the foregoing, Respondent has violated Section 458.331(1)(q), Florida Statutes, in prescribing a controlled substance other than in the course of his professional practice; Section 893.05(1), Florida Statutes, in failing to prescribe controlled substances in good faith and in the course of his professional practice; Section 458.331(1)(h), Florida Statutes, by failing to perform any statutory or legal obligation placed upon a licensed physician; and, Section 458.331(1)(i), Florida Statutes, in making deceptive, untrue, or fraudulent representations in the practice of medicine or employing a trick or scheme in the practice of medicine.

COUNT TEN

31. Between the dates of approximately August 17, 1981 and June 15, 1982, Respondent prescribed the following quantities of Schedule II controlled substances pursuant to Chapter 893, Florida Statutes, for J. P. [REDACTED] a/k/a J. P. [REDACTED]:

<u>DATE</u>	<u>QUANTITY</u>	<u>CONTROLLED SUBSTANCE</u>
08/17/81	36	Percocet
08/17/81	36	Tuinal
09/22/81	50	Percocet
09/22/81	24	Tuinal
10/06/81	50	Percocet
10/06/81	36	Tuinal
11/24/81	50	Percocet
11/24/81	100	Tuinal
06/15/82	36	Tuinal
06/15/82	12	Demerol (50 mg.)

32. Respondent did not prescribe the above described controlled substances to J. P. [REDACTED] a/k/a J. P. [REDACTED] for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

33. Based upon the foregoing, Respondent has violated Section 458.331(1)(g), Florida Statutes, in prescribing a controlled substance other than in the course of his professional practice; Section 893.05(1), Florida Statutes, in failing to prescribe controlled substances in good faith and in the course of his professional practice; Section 458.331(1)(h), Florida Statutes, by failing to perform any statutory or legal obligation placed upon a licensed physician; and, Section 458.331(1)(i), Florida Statutes, in making deceptive, untrue, or fraudulent representations in the practice of medicine or employing a trick or scheme in the practice of medicine.

COUNT ELEVEN

34. Between the dates of approximately June 15, 1982 and July 12, 1982, Respondent prescribed the following quantities of Dilaudid, a Schedule II controlled substance pursuant to Chapter 893, Florida Statutes, for C. M. [REDACTED]:

<u>DATE</u>	<u>QUANTITY</u>
06/15/82	12
06/15/82	12
06/22/82	20
06/29/82	20
07/07/82	18
07/12/82	20

35. Respondent did not prescribe the above described controlled substances to C. M. for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

36. Based upon the foregoing, Respondent has violated Section 458.331(1)(q), Florida Statutes, in prescribing a controlled substance other than in the course of his professional practice; Section 893.05(1), Florida Statutes, in failing to prescribe controlled substances in good faith and in the course of his professional practice; Section 458.331(1)(h), Florida Statutes, by failing to perform any statutory or legal obligation placed upon a licensed physician; and, Section 458.331(1)(l), Florida Statutes, in making deceptive, untrue, or fraudulent representations in the practice of medicine or employing a trick or scheme in the practice of medicine.

COUNT TWELVE

37. Between the dates of approximately June 22, 1982 and September 1, 1982, Respondent prescribed the following quantities of Dilaudid, a Schedule II controlled substance pursuant to Chapter 893, Florida Statutes, for I. M. :

<u>DATE</u>	<u>QUANTITY</u>
06/22/82	20
06/29/82	18
07/07/82	18
08/25/82	20
09/01/82	20

38. Respondent did not prescribe the above described controlled substances to I. M. for a medically justifiable

purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

39. Based upon the foregoing, Respondent has violated Section 458.331(1)(g), Florida Statutes, in prescribing a controlled substance other than in the course of his professional practice; Section 893.05(1), Florida Statutes, in failing to prescribe controlled substances in good faith and in the course of his professional practice; Section 458.331(1)(h), Florida Statutes, by failing to perform any statutory or legal obligation placed upon a licensed physician; and, Section 458.331(1)(i), Florida Statutes, in making deceptive, untrue, or fraudulent representations in the practice of medicine or employing a trick or scheme in the practice of medicine.

COUNT THIRTEEN

40. Between the dates of approximately May 24, 1982 and May 30, 1982, Respondent prescribed the following quantities of Dilaudid, a Schedule II controlled substance pursuant to Chapter 893, Florida Statutes, for C [REDACTED] F [REDACTED]:

<u>DATE</u>	<u>QUANTITY</u>
05/24/82	24
05/30/82	24

41. Respondent did not prescribe the above described controlled substances to C [REDACTED] F [REDACTED] for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

42. Based upon the foregoing, Respondent has violated Section 458.331(1)(g), Florida Statutes, in prescribing a controlled substance other than in the course of his professional practice; Section 893.05(1), Florida Statutes, in failing to prescribe controlled substances in good faith and in the course of his professional practice; Section 458.331(1)(h), Florida Statutes, by failing to perform any statutory or legal obligation placed upon a licensed physician; and, Section 458.331(1)(i), Florida

Statutes, in making deceptive, untrue, or fraudulent representations in the practice of medicine or employing a trick or scheme in the practice of medicine.

COUNT FOURTEEN

43. Between the dates of approximately May 25, 1982 and May 29, 1982, Respondent prescribed the following quantities of Dilaudid, a Schedule II controlled substance pursuant to Chapter 893, Florida Statutes, for M. B. :

<u>DATE</u>	<u>QUANTITY</u>
05/25/82	28
05/29/82	24

44. Respondent did not prescribe the above described controlled substances to M. B. for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

45. Based upon the foregoing, Respondent has violated Section 458.331(1)(g), Florida Statutes, in prescribing a controlled substance other than in the course of his professional practice; Section 893.05(1), Florida Statutes, in failing to prescribe controlled substances in good faith and in the course of his professional practice; Section 458.331(1)(h), Florida Statutes, by failing to perform any statutory or legal obligation placed upon a licensed physician; and, Section 458.331(1)(i), Florida Statutes, in making deceptive, untrue, or fraudulent representations in the practice of medicine or employing a trick or scheme in the practice of medicine.

COUNT FIFTEEN

46. Between the dates of approximately July 7, 1982 and July 16, 1982, Respondent prescribed the following quantities of Dilaudid, a Schedule II controlled substance pursuant to Chapter 893, Florida Statutes, for R. R. :

<u>DATE</u>	<u>QUANTITY</u>
07/07/82	40
07/13/82	40
07/16/82	40

47. Respondent did not prescribe the above described controlled substances to R. F. for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

48. Based upon the foregoing, Respondent has violated Section 458.331(1)(g), Florida Statutes, in prescribing a controlled substance other than in the course of his professional practice; Section 893.05(1), Florida Statutes, in failing to prescribe controlled substances in good faith and in the course of his professional practice; Section 458.331(1)(h), Florida Statutes, by failing to perform any statutory or legal obligation placed upon a licensed physician; and, Section 458.331(1)(i), Florida Statutes, in making deceptive, untrue, or fraudulent representations in the practice of medicine or employing a trick or scheme in the practice of medicine.

COUNT SIXTEEN

49. Between the dates of approximately August 18, 1982 and September 7, 1982, Respondent prescribed the following quantities of Dilaudid, a Schedule II controlled substance pursuant to Chapter 893, Florida Statutes, for J. G.:

<u>DATE</u>	<u>QUANTITY</u>
08/18/82	25
09/02/82	16
09/07/82	16

50. Respondent did not prescribe the above described controlled substances to J. G. for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

51. Based upon the foregoing, Respondent has violated Section 458.331(1)(g), Florida Statutes, in prescribing a controlled substance other than in the course of his professional practice; Section 893.05(1), Florida Statutes, in failing to prescribe controlled substances in good faith and in the course of his professional practice; Section 458.331(1)(h), Florida Statutes, by

failing to perform any statutory or legal obligation placed upon a licensed physician; and, Section 458.331(1)(1), Florida Statutes, in making deceptive, untrue, or fraudulent representations in the practice of medicine or employing a trick or scheme in the practice of medicine.

COUNT SEVENTEEN

52. Petitioner realleges as if fully set forth herein the allegations of fact contained in all of the above Counts.

53. Based upon the foregoing, Respondent has violated Section 458.331(1)(t), Florida Statutes, by engaging in gross or repeated malpractice or the failure to practice medicine with that level of care, skill and treatment which is recognized by a reasonably prudent, similar physician as being acceptable under similar conditions and circumstances.

SIGNED this 27 day of July,
1983.

Fred Roche

FRED ROCHE
Secretary

COUNSEL FOR DEPARTMENT:

Joseph W. Lawrence, II
Chief Attorney
Department of Professional Regulation
130 North Monroe Street
Tallahassee, Florida 32301
(904) 488-1813

JWL/SRG/lw
7/5/83

FILED

DEPARTMENT OF PROFESSIONAL REGULATION

Melrose K. Hood

CLERK

DATE August 2, 1983

BEFORE THE BOARD OF MEDICAL EXAMINERS

PL12

FILED

DEPARTMENT OF PROFESSIONAL
REGULATION,

Department of Professional Regulation
BOARD CLERK

Petitioner,

vs.

CLERK *George Morgan*
CASE NO. *2021475*

HUGO WALDHEIM, M.D.,
LICENSE NO. 007472

DATE *5-18-84*

Respondent.

EX: Legal

board

FINAL ORDER OF THE BOARD OF MEDICAL EXAMINERS

This cause came before the Board of Medical Examiners (Board) pursuant to Section 120.57(2), Florida Statutes on April 14, 1984, in Orlando, Florida, for an informal hearing as requested by Respondent, Hugo Waldheim, M.D. Petitioner was represented by Joseph W. Lawrence, II, Esquire; Respondent was represented by Robert J. O'Toole, Esquire. The facts are not in dispute.

FINDINGS OF FACT

1. Respondent is a medical doctor having been issued license number ME 0007474.
2. Respondent's last known address is 1915 Northeast 45 Street, Ft. Lauderdale, Florida.
3. Between the dates of approximately January 21, 1982 and August 30, 1982, Respondent prescribed the following quantities of Dilaudid, a Schedule II controlled substance pursuant to Chapter 893, Florida Statutes, for David Peterson:

<u>DATE</u>	<u>QUANTITY</u>
01/21/82	36
01/25/82	50
02/01/82	50
02/12/82	55
02/16/82	60

03/04/82	60
03/09/82	60
03/12/82	60
03/17/82	70
03/23/82	70
03/26/82	70
03/30/82	70
04/05/82	70
04/15/82	70
04/22/82	70
04/26/82	70
04/29/82	70
05/03/82	70
05/17/82	70
05/20/82	70
05/24/82	70
05/31/82	70
06/07/82	70
06/14/82	70
06/17/82	70
06/21/82	70
06/28/82	70
07/05/82	70
07/08/82	70
07/12/82	70
07/19/82	70
07/26/82	70
07/29/82	70
08/02/82	70
08/05/82	70
08/09/82	70
08/16/82	70
08/23/82	70
08/26/82	70
08/30/82	70

4. Respondent did not prescribe the above described controlled substances to ~~Dennis P. Williams~~ for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

5. Between the dates of approximately January 19, 1982 and October 22, 1982, Respondent prescribed the following quantities of Schedule controlled substances pursuant to Chapter 893, Florida Statutes, for ~~Ronald R. Williams~~:

<u>DATE</u>	<u>QUANTITY</u>	<u>CONTROLLED SUBSTANCE</u>
01/19/82	100	Valium
01/19/82	18	Placid, I
06/07/82	50	Demerol
07/01/82	50	Demerol
07/08/82	50	Demerol
07/12/82	50	Demerol
07/19/82	50	Demerol
07/20/82	50	Demerol
08/03/82	50	Demerol
08/10/82	50	Demerol

08/12/82	50	Demerol
09/22/82	50	Demerol
10/06/82	50	Demerol
10/17/82	50	Demerol
10/22/82	50	Demerol

6. Respondent did not prescribe the above described controlled substances to R█████ R█████ for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

7. Between the dates of approximately May 21, 1981 and September 7, 1982, Respondent prescribed the following quantities of Dilaudid, a Schedule II controlled substance pursuant to Chapter 893, Florida Statutes, for S█████ H█████:

<u>DATE</u>	<u>QUANTITY</u>
05/21/81	14
12/03/81	16
12/08/81	13
12/11/81	26
12/15/81	20
04/30/82	12
05/26/82	14
05/31/82	14
06/02/82	14
06/05/82	18
06/10/82	14
06/12/82	3
06/17/82	28
06/25/82	28
06/28/82	28
07/03/82	28
07/08/82	28
07/14/82	28
07/20/82	27
07/26/82	24
07/30/82	24
08/06/82	24
08/11/82	24
08/17/82	24
08/23/82	24
08/30/82	24
09/07/82	16

8. Respondent did not prescribe the above described controlled substances to S█████ H█████ for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

9. Between the dates of approximately October 29, 1981 and

December 15, 1981, Respondent prescribed the following quantities of Dilaudid, a Schedule II controlled substance pursuant to Chapter 893, Florida Statutes, for G L:

<u>DATE</u>	<u>QUANTITY</u>
10/29/81	18
11/02/81	18
11/06/81	16
11/13/81	32
11/20/81	26
11/24/81	6
11/24/81	46
12/01/81	20
12/04/81	24
12/08/81	24
12/11/81	20
12/14/81	12
12/15/81	40

10. Respondent did not prescribe the above described controlled substances to G L for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

11. Between the dates of approximately July 8, 1982 and September 7, 1982, Respondent prescribed the following quantities of Dilaudid, a Schedule II controlled substance pursuant to Chapter 893, Florida Statutes, for J Z:

<u>DATE</u>	<u>QUANTITY</u>
07/08/82	10
07/09/82	20
07/15/82	20
07/19/82	20
07/27/82	30
08/02/82	28
08/09/82	28
08/12/82	20
08/17/82	10
08/18/82	24
09/07/82	18

12. Respondent did not prescribe the above described controlled substances to J Z for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

13. Between the dates of approximately August 19, 1982 and

September 24, 1982, Respondent prescribed the following quantities of Schedule II controlled substances pursuant to Chapter 893, Florida Statutes, for S [redacted] G [redacted]:

<u>DATE</u>	<u>QUANTITY</u>	<u>CONTROLLED SUBSTANCE</u>	<u>STRENGTH</u>
08/09/82	50	Percocet	45
08/28/82	24	Demerol	
08/30/82	50	Percocet	45
08/30/82	10	Demerol	
09/03/82	50	Demerol	
09/09/82	50	Percocet	45
09/09/82	24	Demerol	
09/09/82	50	Tuinal	
09/13/82	50	Percocet	45
09/17/82	24	Seconal	
09/17/82	50	Percodan	
09/22/82	50	Percocet	45
09/22/82	50	Demerol	
09/24/82	50	Percocet	
09/24/82	50	Demerol	

14. Respondent did not prescribe the above described controlled substances to S [redacted] G [redacted] for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

15. Between the dates of approximately August 10, 1981 and March 7, 1982, Respondent prescribed the following quantities of Schedule II controlled substances pursuant to Chapter 893, Florida Statutes, for K [redacted] S [redacted]:

<u>DATE</u>	<u>QUANTITY</u>	<u>CONTROLLED SUBSTANCE</u>	<u>STRENGTH</u>
08/10/81	56	Percocet	5 mg.
08/15/81	10	Percocet	5 mg.
08/15/81	36	Seconal	100 mg.
08/26/81	56	Percocet	5 mg.
08/26/81	24	Seconal	100 mg.
09/02/81	56	Percocet	5 mg.
09/02/81	36	Seconal	100 mg.
09/04/81	56	Percocet	5 mg.
09/04/81	56	Percocet	5 mg.
09/11/81	56	Percocet	5 mg.
12/26/81	25	Percocet	5 mg.
12/26/81	12	Seconal	100 mg.
03/07/82	30	Percocet	5 mg.
03/07/82	20	Seconal	100 mg.

16. Respondent did not prescribe the above described controlled substances to K [redacted] S [redacted] for a medically justifiable

purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

17. Between the dates of approximately August 6, 1982 and September 16, 1982, Respondent prescribed the following quantities of Schedule II controlled substances pursuant to Chapter 893, Florida Statutes, for A [REDACTED] A [REDACTED]:

<u>DATE</u>	<u>QUANTITY</u>	<u>CONTROLLED SUBSTANCE</u>
08/06/82	21	Dilaudid
08/11/82	30	Dilaudid
08/16/82	28	Dilaudid
08/18/82	10	Dilaudid
08/23/82	24	Dilaudid
08/27/82	10	Dilaudid
08/30/82	12	Dilaudid
08/30/82	23	Dilaudid
09/06/82	15	Dilaudid
09/16/82	50	Percocet #5

18. Respondent did not prescribe the above described controlled substances to A [REDACTED] A [REDACTED] for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

19. Between the dates of approximately October 27, 1981 and August 27, 1982, Respondent prescribed the following quantities of Dilaudid, a Schedule II controlled substance pursuant to Chapter 893, Florida Statutes, for W [REDACTED] G [REDACTED]:

<u>DATE</u>	<u>QUANTITY</u>
10/27/81	21
11/02/81	18
11/04/81	25
03/30/82	35
04/12/82	28
04/19/82	24
04/26/82	18
05/04/82	14
08/16/82	28
08/27/82	20

20. Respondent did not prescribe the above described controlled substances to W [REDACTED] G [REDACTED] for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

21. Between the dates of approximately August 17, 1981 and June 15, 1982, Respondent prescribed the following quantities of Schedule II controlled substances pursuant to Chapter 893, Florida Statutes, for J. B. a/k/a J. R.:

<u>DATE</u>	<u>QUANTITY</u>	<u>CONTROLLED SUBSTANCE</u>
08/17/81	36	Percocet
08/17/81	36	Tuinal
09/22/81	50	Percocet
09/22/81	24	Tuinal
10/06/81	50	Percocet
10/06/81	36	Tuinal
11/24/81	50	Percocet
11/24/81	100	Tuinal
06/15/82	36	Tuinal
06/15/82	12	Demerol (50 mg.)

22. Respondent did not prescribe the above described controlled substances to J. B. a/k/a J. R. for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

23. Between the dates of approximately June 15, 1982 and July 12, 1982, Respondent prescribed the following quantities of Dilaudid, a Schedule II controlled substance pursuant to Chapter 893, Florida Statutes, for C. N.:

<u>DATE</u>	<u>QUANTITY</u>
06/15/82	12
06/15/82	12
06/22/82	20
06/29/82	20
07/07/82	18
07/12/82	20

24. Respondent did not prescribe the above described controlled substance to C. M. for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

25. Between the dates of approximately June 22, 1982 and September 1, 1982, Respondent prescribed the following quantities of Dilaudid, a Schedule II controlled substance pursuant to Chapter 893, Florida Statutes, for L. M.:

<u>DATE</u>	<u>QUANTITY</u>
06/22/82	20
06/29/82	18
07/07/82	18
08/25/82	20
09/01/82	20

26. Respondent did not prescribe the above described controlled substance to L. M. for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

27. Between the dates of approximately August 18, 1982 and September 7, 1982, Respondent prescribed the following quantities of Dilaudid, a Schedule II controlled substance pursuant to Chapter 893, Florida Statutes, for J. G.:

<u>DATE</u>	<u>QUANTITY</u>
08/18/82	25
09/02/82	16
09/07/82	16

28. Respondent did not prescribe the above described controlled substances to J. G. for a medically justifiable purpose. Said prescriptions were inappropriate or in excessive or inappropriate quantities.

CONCLUSIONS OF LAW

1. Based upon the foregoing, Respondent has violated Section 458.331(1)(g), Florida Statutes, in prescribing a controlled substance other than in the course of his professional practice; Section 893.05(1), Florida Statutes, in failing to prescribe controlled substances in good faith and in the course of his professional practice; Section 458.331(1)(h), Florida Statutes, by failing to perform any statutory or legal obligation placed upon a license physician; and, Section 458.331(1)(l), Florida Statutes, in making deceptive, untrue, or fraudulent representations in the practice of medicine or employing a trick

or scheme in the practice of medicine.

2. Based upon the foregoing, Respondent has violated Section 458.331(1)(t), Florida Statutes, by engaging in gross or repeated malpractice or the failure to practice medicine with that level of care, skill and treatment which is recognized by a reasonably prudent, similar physician as being acceptable under similar conditions and circumstances.

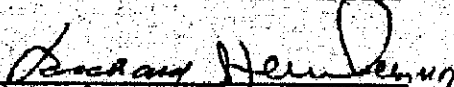
WHEREFORE, IT IS ORDERED AND AJUDGED that:

1. Respondent be and is hereby reprimanded.
2. Respondent's license to practice medicine be suspended for a period of six months.
3. Upon reinstatement of Respondent's license to practice medicine, Respondent shall be placed on probation for four years, during which time: Respondent shall be restricted from prescribing Schedule II controlled substances, pursuant to Chapter 893, Florida Statutes. During the probationary period, Respondent shall complete 50 hours annually of Category I continuing education in the subject areas of alcohol and narcotics and shall appear semi-annually before the Board.
4. Respondent pay an administrative fine of \$2,000.00 to the Board within 30 days of the effective date of this Order.

This Order shall take effect upon filing.

DONE AND ORDERED this 12 day of MAY, 1984.

Board of Medical Examiners


Richard J. Feinstein
Chairman

cc: All Counsel of Record
Hugo Waldheim, M.D.