

BEFORE THE BOARD OF MEDICAL EXAMINERS

FILED

Department of Professional Regulation
BOARD CLERK

CLERK

DATE

Joyce Woods
6-27-86

EX: Legal Board

DEPARTMENT OF PROFESSIONAL
REGULATION,

Petitioner,

vs.

GERARDO L. JORGE, M.D.,

DPR CASE NO. 0060181
LICENSE NO. 0024696

Respondent.

FINAL ORDER OF THE
BOARD OF MEDICAL EXAMINERS

THIS MATTER came before the Board of Medical Examiners (Board) pursuant to Section 120.57(3), Florida Statutes, on February 8, 1986, in Orlando, Florida, for consideration of a Stipulation (attached hereto as Exhibit A) entered into between the parties in the above-styled case. Petitioner was represented by William M. Furlow, Esquire; Respondent was present and testified at the hearing. Upon consideration of the Stipulation, the documents submitted in support thereof, the arguments of the parties, and being otherwise advised in the premises, the Board rejected the Stipulation proposed and offered an amendment at the hearing, which amendment was accepted without objection by the parties.

IT IS HEREBY ORDERED AND ADJUDGED that the Stipulation as submitted be and is hereby approved and adopted in toto and incorporated by reference herein with the following amendments:

1. Respondent is hereby reprimanded.

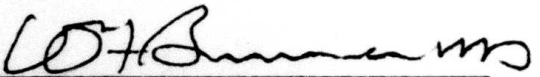
2. Respondent will pay an administrative fine of \$500.00 within sixty (60) days from entry of this Final Order.

Accordingly, the parties shall adhere to and abide by all of the terms and conditions of the Stipulation as amended.

This Order takes effect upon filing.

DONE AND ORDERED this 27th day of June, 1986.

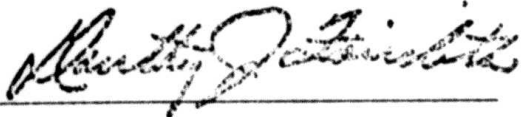
BOARD OF MEDICAL EXAMINERS



WILLIAM F. BRUNNER, M.D.
Chairman

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by certified mail to GERARDO L. JORGE, M.D., 1900 Coral Way, Suite 302, Miami, Florida 33145 and by interoffice delivery to WILLIAM M. FURLOW, Esquire, Department of Professional Regulation, 130 North Monroe Street, Tallahassee, Florida 32301, at or before 5:00 P.M., this 27th day of June, 1986.



STATE OF FLORIDA
DEPARTMENT OF PROFESSIONAL REGULATION

DEPARTMENT OF PROFESSIONAL
REGULATION,

Petitioner,

DPR CASE NO. 0060181

vs.

GERARDO L. JORGE, M.D.,

Respondent.

STIPULATION

Gerardo L. Jorge, M.D., hereinafter referred to as Respondent and the Department of Professional Regulation, hereinafter referred to as Department, hereby stipulate and agree to the following joint Stipulation and a Final Order of the Board of Medical Examiners, hereinafter referred to as Board, incorporating this Stipulation and Agreement in the above-styled manner.

STIPULATED FACTS

1. At all times pertinent herein, Respondent was a licensed physician in the State of Florida having been issued license number ME 0024696.

2. Respondent was charged by an Administrative Complaint filed by the Department and properly served upon Respondent with violations of Chapter 458, Florida Statutes, and the rules enacted pursuant thereto. A true and correct copy of the Administrative Complaint is attached hereto and incorporated herein as Exhibit A.

3. Respondent admits the allegations of fact contained in the Administrative Complaint attached hereto as Exhibit A.

STIPULATED CONCLUSIONS OF LAW

4. Respondent, in his capacity as a licensed physician in the State of Florida, admits that in such capacity he is subject to the provisions of Chapters 455, and 458, Florida Statutes, and the jurisdiction of the Department and Board.

5. Respondent admits that the facts set forth in the foregoing Stipulated Facts constitute violations of Chapter 458, Florida Statutes, as alleged in the Administrative Complaint.

STIPULATED DISPOSITION

6. Respondent shall in the future comply with Chapters 455, 458, and 893, Florida Statutes, and the rules promulgated pursuant thereto.

7. Respondent is hereby reprimanded.

8. Respondent will pay an administrative fine of \$1000.00 (\$100.00/month license was inactive with \$1000.00 maximum) within sixty (60) days from entry of the Final Order adopting this Stipulation.

9. Respondent will pay administrative costs of \$250.00 within sixty (60) days of entry of a Final Order adopting this Stipulation.

10. Respondent shall be present at the time of the Board's consideration of this Stipulation and shall, under oath, answer any questions posed by Board members, counsel for the Board and counsel for Petitioner.

11. It is expressly understood that this Stipulation is subject to approval of the Board and Department and has no force and effect until an Order is based upon it by the Board.

12. This Stipulation is executed by the Respondent for the purpose of avoiding any further administrative action with the Board to review and examine all investigative file materials concerning Respondent prior to or in conjunction with the consideration of the Stipulation. Furthermore, should this joint Stipulation not be accepted by the Board, it is agreed that presentation to and consideration of this Stipulation and other documents and matters by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of these proceedings. In the event that the Board fails to approve this joint Stipulation and a proceeding pursuant to Section 120.57, Florida Statutes, is held resulting in a finding that Respondent is guilty of the alleged charges, Respondent hereby waives any defense to entry of a Final Order by the Board based upon the Board's consideration of this joint Stipulation.

13. Respondent and the Department fully understand that this joint Stipulation and subsequent Final Order incorporating same will in no way preclude additional proceedings by the Board and/or Department against the Respondent for acts or omissions not specifically set forth in the Administrative Complaint attached as Exhibit A.

14. Upon the Board's adoption of this Stipulation, Respondent expressly waives all rights to seek judicial review of or to otherwise challenge or contest the validity of the joint stipulation of facts, conclusions of law and imposition of discipline, and the Final Order of the Board incorporating said Stipulation.

SIGNED this 31st day of December, 1985.

Gerardo Jorge M.D.
Gerardo Jorge, M.D.

Sworn to and subscribed
before me this 31 day of
December, 1985.

Elise Solari
NOTARY PUBLIC

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXPIRES DEC 23 1986
ISSUED THRU GENERAL INSURANCE CO.
APPROVED THIS

15 day of January, 1985

Fred Roche
Fred Roche, Secretary
Dept. of Professional Regulation

FR/CB/lcm
12/17/85

STATE OF FLORIDA
DEPARTMENT OF PROFESSIONAL REGULATION

DEPARTMENT OF PROFESSIONAL
REGULATION,

Petitioner,

CASE NO: 0060181

vs.

GERARDO L. JORGE, M.D.,

Respondent.

ADMINISTRATIVE COMPLAINT

COMES NOW, the Petitioner, Department of Professional Regulation, hereinafter referred to as "Petitioner", and files this Administrative Complaint before the Board of Medical Examiners, against Gerardo L. Jorge, M.D., hereinafter referred to as "Respondent", and alleges:

1. Petitioner, Department of Professional Regulation, is the state agency charged with regulating the practice of medicine pursuant to Section 20.30, Florida Statutes, Chapter 455, Florida Statutes, and Chapter 458, Florida Statutes.

2. Respondent is, and has been at all times material hereto, a physician in the State of Florida, having been issued license number ME 0024696. Respondent's last known address is 1900 Coral Way, Suite 302, Miami, Florida 33145.

3. On or about December 1, 1983, Respondent's medical license expired and was subsequently placed in an inactive status. Respondent made no attempt to renew his license to practice medicine until June 25, 1985, but continued to practice during this time.

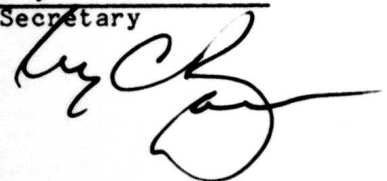
4. Based on the foregoing allegations, Respondent is in violation of Section 458.327(1)(a), Florida Statutes, in that he is guilty of the practice of medicine or an attempt to practice medicine without an active license, and therefore, is in violation of Section 458.331(1)(h), Florida Statutes, in that he is guilty of failing to perform any statutory or legal obligation placed upon a licensed physician and of Section 458.331(1)(x), Florida Statutes, in that he is guilty of violating any provision

of Chapter 458, a rule of the Board or Department, or a lawful order of the Board or Department previously entered in a disciplinary hearing or failing to comply with a lawfully issued subpoena of the Department.

WHEREFORE, Petitioner respectfully requests the Board of Medical Examiners to enter an Order imposing one or more of the following penalties: revocation or suspension of the Respondent's license, restriction of the Respondent's practice, imposition of an administrative fine, issuance of a reprimand, placement of the Respondent on probation, and/or any other relief that the Board deems appropriate.

SIGNED this 11 day of December, 1985.


Fred Roche, Secretary



COUNSEL FOR DEPARTMENT:

Cecilia Bradley
Staff Attorney
Dept. of Professional Regulation
130 N. Monroe St.
Tallahassee, Fla. 32301
(904) 488-0062

PCP:

FILED

DEPARTMENT OF PROFESSIONAL REGULATION

Melinda H. Wagne
CLERK
DATE December 16, 1985