

STATE OF FLORIDA
DEPARTMENT OF PROFESSIONAL REGULATION

BOARD: Medicine
CASE NUMBER: 0066867
COMPLAINT MADE BY: R. C. H.
Cape Coral, Florida
DATE COMPLAINT RECEIVED: January 1, 1986
COMPLAINT MADE AGAINST: Alexandria J. Polles, M.D.
c/o Linda Pa Henley
167 Anchorage Street
Ft. Myers Beach, Florida 33931
REVIEWED BY: Stephanie A. Daniel/jb
STAFF RECOMMENDATION: Dismiss (PL-06)

CLOSING ORDER


THE COMPLAINT: Complainant alleges that the Subject of the investigation failed to practice medicine with an acceptable level of care, skill and treatment, in that she failed to properly diagnose a heart attack.

THE FACTS: Investigation failed to substantiate the allegations with clear and convincing evidence. It is the Department's consultant's opinion that there does not exist cause to believe that the Subject failed to practice medicine without a level of care acceptable under the circumstances. However, in the course of investigation it was learned that the Subject failed to notify the Department of the address of her new primary place of business.

THE LAW: Based on the foregoing, there is sufficient evidence to believe that a violation of Section 458.319(5), Florida Statutes and 458.331(1)(h), Florida Statutes 1985, reenacted as Section 458.331(1)(g) by Chapter 86-245 Laws of Florida and 458.331(1)(x), Florida Statutes, has occurred. Under the circumstances, a letter of guidance should be sent and the case should be closed without further prosecution.

It is, therefore, ORDERED that this matter should be, and the same is hereby dismissed.

DONE and ORDERED this 28th day of January, 1987.


CHAIRMAN, Probable Cause Panel
Board of Medicine

SAD/jb/jd
12/22/86



Department of Professional Regulation

130 North Monroe Street
Tallahassee, Florida 32399-0750

February 18, 1987

PERSONAL AND CONFIDENTIAL

Alexandria J. Polles, M.D.
c/o Linda Pa Henley
167 Anchorage Street
Ft. Myers Beach, Florida 33931

RE: Case No. 0066867

Dear Dr. Polles:

Please be advised that the complaint referenced above, filed against you by ~~Richard C. H.~~, regarding allegations that you failed to properly diagnose a heart attack, has been investigated and the findings reviewed by the Probable Cause Panel of the Board of Medicine. Based upon the evidence obtained, the Panel determined there was insufficient probable cause to believe that a violation of Chapter 458, Florida Statutes, had occurred regarding this allegation of malpractice. However, in the course of investigation, it was learned that you had failed to notify the Department of the address of your new primary place of business, and the Panel determined that probable cause existed to believe you had violated chapter 458, Florida Statutes, by this action.

The Panel recommended, however, that this case be closed by issuing you this letter of guidance in lieu of formal prosecution. The Panel found probable cause to believe you had violated the following statutes:

458.319 (5) The licensee must have on file with the department the address of his primary place of practice within this state prior to engaging in that practice. Prior to changing the address of his primary place of practice, whether or not within this state, the licensee shall notify the department of the address of his new primary place of practice.

458.331 (1) (h) Failing to perform any statutory or legal obligation placed upon a licensed physician.
[now 458.331 (1) (g), F.S. (Supp. 1986)]

458.331 (1) (x) Violating any provision of this chapter, 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.

You violated these statutes when you failed to have on file with the Department the address of your primary place of business prior to changing the address of said business.

In the future, I am sure that you will conduct your medical practice in full compliance with the provisions of Chapter 458, Florida Statutes. Should further such violations occur, the Department will not hesitate to seek full prosecution of them.

If you have any questions about this letter, please feel free to contact me.

Sincerely,


Leslie Brookmeyer
Senior Attorney

LB/kd