

BEFORE THE BOARD OF MEDICINE

DEPARTMENT OF PROFESSIONAL  
REGULATION,

Petitioner,

vs.

JUAN A. SIMON,

Respondent.

DPR CASE NO. 0067169  
LICENSE NO. ME 0026353

FILED

Department of Professional Regulation  
AGENCY CLERK

CLERK Melinda H. Wagner

DATE 3/1/88

FINAL ORDER

THIS CAUSE came before the Board of Medicine (Board) pursuant to Section 120.57(2), Florida Statutes, on February 5, 1988, in Tampa, Florida, for consideration of the Administrative Complaint (attached hereto as Exhibit A) in the above-styled cause. At the hearing, Petitioner was represented by Stephanie A. Daniel, Esquire; Respondent was present and testified at the hearing. The facts are not in dispute.

Upon consideration, it is ORDERED:

1. The allegations of fact set forth in the Administrative Complaint are approved and adopted and incorporated herein by reference as the findings of fact by the Board.

2. The conclusions of law alleged and set forth in the Administrative Complaint are approved and adopted and incorporated herein by reference as the conclusions of law by the Board.

3. Under the circumstances, the Board decided to impose no penalty. THEREFORE,

*Disposition: Table Amicus...*

IT IS HEREBY ORDERED AND ADJUDGED:


No penalty shall be imposed.

Pursuant to Section 120.59, Florida Statutes, the parties are hereby notified that they may appeal this Final Order by filing one copy of a notice of appeal with the clerk of the agency and by filing the filing fee and one copy of a notice of appeal with the District Court of Appeal within 30 days of the date this order is filed, as provided in Chapter 120, Florida Statutes, and the Florida Rules of Appellate Procedure.

This order takes effect upon filing.

DONE AND ORDERED this 27 day of February, 1988.

BOARD OF MEDICINE

  
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EMILIO D. ECHEVARRIA, 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 Juan A. Simon, Jr., M.D., 7500 S.W. 8th Street, #309, Miami, Florida 33144 and by hand delivery to Susan L. Branson, Esquire, Department of Professional Regulation, 130 North Monroe Street, Tallahassee, Florida 32399-0750, at or before 5:00 P.M., this 1 day of March, 1988.

  
\_\_\_\_\_  
MARtha J. FAIRCHILD

DEPARTMENT OF PROFESSIONAL  
REGULATION,

Petitioner,

vs.

CASE NUMBER: 0067169

JUAN A. SIMON, 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 Medicine against JUAN A. SIMON, M.D., hereinafter referred to as "Respondent", and alleges:

1. Petitioner 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 licensed physician in the State of Florida, having been issued license number ME 0026353. Respondent's last known address is 11880 S.W. 40th Street, Suite 207, Miami, Florida 33175.

3. From on or about December 6, 1984 to December 1985, Respondent rendered medical care to patient J[REDACTED] C[REDACTED] J[REDACTED].

4. In or about December 1985, Respondent released patient J[REDACTED] medical records despite specific instructions by her not release them.

5. Respondent released patient records without written authorization by the patient as described by Section 455.241(2), Florida Statutes.

6. Based on the foregoing, Respondent violated Section 458.331(1)(g), Florida Statutes, by failing to perform any statutory or legal obligation placed upon a licensed physician.



WHEREFORE, the Petitioner respectfully requests the Board of Medicine 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 16 day of April, 1987.

*Van B. Poole*  
Van B. Poole  
Secretary *[Signature]*

COUNSEL FOR DEPARTMENT:

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Senior Attorney  
Department of Professional  
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LB/JA/11  
3-9-87

PCP: 01/28/87  
O'Bryan; Santelices; Cooper

FILED

DEPARTMENT OF PROFESSIONAL REGULATION

DATE