

STATE OF FLORIDA
DEPARTMENT OF PROFESSIONAL REGULATION

BOARD: Medicine
CASE NUMBER: 0078244
COMPLAINT MADE BY: G [REDACTED] H [REDACTED]
DATE COMPLAINT RECEIVED: December 15, 1986
COMPLAINT MADE AGAINST: Stanley I. Holzberg, M.D.
495 Biltmore Way
Coral Gables, FL 33134
REVIEWED BY: BRUCE D. LAMB/sb
STAFF RECOMMENDATION: Close (PL-06)

CLOSING ORDER

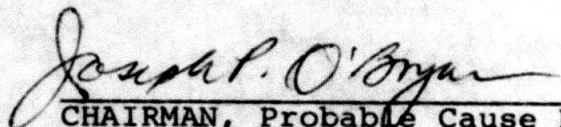
THE COMPLAINT: Complainant alleges that the Subject of the investigation inappropriately and/or excessively prescribed drugs containing Schedule II controlled substances to a patient other than in the course of the physician's professional practice.

THE FACTS: Investigation revealed that between approximately August 1981 and May 1982 the Subject prescribed Demerol, a drug containing Schedule II controlled substances pursuant to Chapter 893, Florida Statutes, to patient M.H. In addition, investigation also revealed that between approximately March 1985 and September 1986 the Subject prescribed Esgic, a legend drug and Valium, a drug containing Schedule IV controlled substances pursuant to Chapter 893, Florida Statutes, to patient M.H. Patient M.H. opposed release of her medical records to the Department. The Department was otherwise unsuccessful in obtaining the patient records in this case. In light of the Subject's last prescribing for patient M.H. occurring over a year ago and his agreement to not resume prescribing for this patient in addition to the Department's not being able to obtain the patient records, this case will be closed. If in the future the Drug Diversion Master Listing shows a reoccurrence of prescribing by the Subject to patient M.H. the Department will investigate.

THE LAW: Based on the foregoing, there is sufficient evidence to support a finding of probable cause of a violation of 458.331(1)(g), Florida Statutes, or the rules promulgated thereunder has occurred. Based on the Subject's agreement to not prescribe drugs, to this patient in the future, this case will be closed with a Letter of Guidance to the Subject.

It is, therefore, ORDERED that this matter should be, and the same is hereby CLOSED with a Letter of Guidance.

DONE and ORDERED this 20 day of October, 1987.


CHAIRMAN, Probable Cause Panel
Board of Medicine

BL/SB/rd
11/24/87