

FILED

Department of Professional Regulation
AGENCY CLERK

DEPARTMENT OF PROFESSIONAL REGULATION
BOARD OF MEDICINE

CLERK

DATE

E. Wilson
3-19-91

DEPARTMENT OF PROFESSIONAL
REGULATION,

Petitioner,

-vs-

WILLIAM S. REA, M.D.,

Respondent.

DPR CASE NUMBER: 89-07756
LICENSE NUMBER: ME 0045334

ORDER

THIS MATTER came before the Board of Medicine (Board) on December 1, 1990, in Kissimmee, Florida. The underlying basis for this matter being placed on the Board's agenda was the entry into a Stipulation between the Department of Professional Regulation and Respondent. The Board accepted said Stipulation. Paragraph Number 2 of the Stipulated Disposition provided:

Respondent's license to practice medicine in the State of Florida shall be suspended unless or until Respondent can appear before the Board, and demonstrate that his New Jersey license is free and clear of all encumbrances.

At the December meeting Respondent did, in fact, appear before the Board and demonstrated that his New Jersey license was free of any encumbrances. Accordingly,

IT IS HEREBY ORDERED AND ADJUDGED that the suspension referred to in Paragraph 2 of the Stipulated Disposition is not and shall not be imposed and no further action shall be taken.

This Order shall be come final upon filing with the Clerk of the Department of Professional Regulation.


DONE AND ORDERED this 15th day of March, 1991.

BOARD OF MEDICINE


ZACHARIAH P. ZACHARIAH, M.D.
CHAIRMAN

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Order has been provided by certified mail to William S. Rea, M.D., 1710 Fourth Avenue, North, Lake Worth, Florida 33460 and William P. Isele, Qualified Representative, 1120 Route 22 East, Bridgewater, New Jersey 08807, and by interoffice delivery to Larry G. McPherson, Jr., Attorney at Law, Department of Professional Regulation, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0792, at or before 5:00 P.M., this 19 day of March, 1990.


Dorothy J. Fairchild

Orders/ReaW

DEPARTMENT OF PROFESSIONAL REGULATION
BOARD OF MEDICINE

CLERK

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DEPARTMENT OF PROFESSIONAL
REGULATION,

CLERK

DATE

12-19-90

Petitioner,

-vs-

DPR CASE NUMBER: 89-07756
LICENSE NUMBER: ME 0045334

WILLIAM S. REA, M.D.,

Respondent.

FINAL ORDER

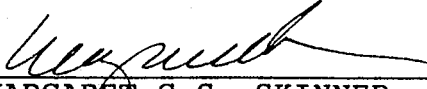
THIS MATTER came before the Board of Medicine (Board) pursuant to Section 120.57(3), Florida Statutes, on December 1, 1990, in Kissimmee, Florida, for consideration of a Stipulation (attached hereto as Exhibit A) entered into between the parties in the above-styled case. At the hearing, William P. Isele was accepted as a qualified representative for Respondent, who was also present. Upon consideration of the Stipulation, the documents submitted in support thereof, the arguments of the parties, and being otherwise advised in the premises,

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

This Order takes effect upon filing with the Clerk of the Department.

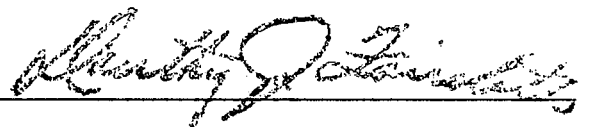
DONE AND ORDERED this 14 day of December, 1990.

BOARD OF MEDICINE


MARGARET C.S. SKINNER, M.D.
CHAIRMAN

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Order has been provided by certified mail to William S. Rea, M.D., 1710 Fourth Avenue, North, Lake Worth, Florida 33460 and William P. Isele, Qualified Representative, 1120 Route 22 East, Bridgewater, New Jersey 08807, and by interoffice delivery to Larry G. McPherson, Jr., Attorney at Law, Department of Professional Regulation, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0792, at or before 5:00 P.M., this 19th day of December, 1990.



Orders/ReaW

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**STATE OF FLORIDA
DEPARTMENT OF PROFESSIONAL REGULATION**

**DEPARTMENT OF PROFESSIONAL
REGULATION,**

Petitioner,

vs.

**DOAH CASE NO. 90-2206
DPR CASE NO. 89-7756**

WILLIAM S. REA, M.D.,

Respondent.

STIPULATION

William S. Rea, M.D., referred to as Respondent, and the Department of Professional Regulation, referred to as Department, stipulate and agree to the following joint Stipulation and Final Order of the Board of Medicine, referred to as Board, incorporating this Stipulation and agreement in this case.

STIPULATED FACTS

1. At all times material to this matter, Respondent was a licensed physician in the State of Florida having been issued license number ME 0045334.

2. Respondent was charged by an Administrative Complaint filed by the Department and properly served upon Respondent with violations of Chapter 450, Florida Statutes, and the rules enacted pursuant thereto. A true and correct copy of the Administrative Complaint is attached and incorporated by reference as Exhibit A.

3. Respondent neither admits nor denies the allegations of fact contained in the Administrative Complaint attached as Exhibit A.

POOR DOCUMENT

STIPULATED CONCLUSIONS OF LAW

1. Respondent, in his capacity as a licensed physician, 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 the Board.

2. Respondent admits that the facts set forth in the Administrative Complaint, attached hereto as Exhibit "A", if proven, constitute violations of Chapter 458, Florida Statutes, as alleged in the Administrative Complaint.

STIPULATED DISPOSITION

1. Respondent shall not in the future violate Chapters 455, 458 and 893, Florida Statutes, or the rules promulgated pursuant thereto.

2. Respondent's license to practice medicine in the State of Florida shall be suspended unless or until Respondent can appear before the Board, and demonstrate that his New Jersey license is free and clear of all encumbrances.

3. It is expressly understood that this Stipulation is subject to the approval of the Board and the Department. In this regard, the foregoing paragraphs (and only the foregoing paragraphs of the Stipulated Facts, Stipulated Conclusions of Law and Stipulated Disposition) shall have no force and effect unless a Final Order is entered incorporating the terms of this Stipulation, by the Board.

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POOR DOCUMENT

4. Respondent shall appear before the Board at the meeting of the Board where this Stipulation is considered. Respondent, in conjunction with the consideration of this Stipulation by the Board, shall respond to questions under oath from the Board, Board Staff or Department Staff.

5. Should this Stipulation be rejected, no statement made in furtherance of this Stipulation, by the Respondent may be used as direct evidence against the Respondent in any proceeding; however, such statements may be used by the Petitioner for impeachment only.

6. 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 the Department against the Respondent for acts or omissions not specifically set forth in the Administrative Complaint attached as Exhibit "A" herein.

7. Upon the Board's adoption of this Stipulation, Respondent expressly waives all further procedural steps, and 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.

8. Upon the Board's adoption of this Stipulation, the parties hereby agree that each party will bear his own attorney's fees and costs resulting from prosecution and/or defense of this proceeding. Respondent waives the right to

seek any attorney's fees or costs from the Department in connection with this disciplinary proceeding.

9. This Stipulation is executed by the Respondent for the purpose of avoiding further administrative action with respect to this cause. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent prior to or in conjunction with 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.

SIGNED this 25 day of October, 1990.

William S. Rea

William S. Rea, M.D.

Sworn to and subscribed
before me this 25th day
of October, 1989/90

[Signature]

NOTARY PUBLIC

Notary Public
State of Florida at Large
My Commission Expires Aug. 12, 1991

My Commission Expires:

APPROVED this 26th day of October, 1990.

Larry Gonzalez
Secretary

[Signature]

By: Stephanie A. Daniel
Chief Attorney

STATE OF FLORIDA
DEPARTMENT OF PROFESSIONAL REGULATION
BOARD OF MEDICINE

DEPARTMENT OF PROFESSIONAL
REGULATION,

Petitioner,

vs.

CASE NO. 8907756

William S. Rea, 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 William S. Rea, 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 0045334. Respondent's last known address is 1710 4th Avenue North, Lake Worth, Florida 33460-2808.

3. On or about June 23, 1988, Respondent entered into and signed a Consent Order of the New Jersey State Board of Medical Examiners.

4. Said Order is based on the allegation that Respondent inappropriately prescribed Percodan, a Schedule II controlled substance.

5. Said Order requires Respondent to pay costs in the amount of \$ 3,642.00 to the State of New Jersey, and prior to resuming the practice of medicine in the State of New Jersey, Respondent shall personally appear, on notice, before a Board Committee designated for the purpose of conducting a status conference with Respondent.

6. Respondent had his license or authority to practice medicine revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of any jurisdiction, including its agencies or subdivisions in that Respondent entered into a Consent Order with the New Jersey State Board of Medical Examiners.

7. Based on the preceding allegations, Respondent violated Section 458.331 (1)(b), Florida Statutes, by having a license or the authority to practice medicine revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of any jurisdiction, including its agencies or subdivision. The licensing authority's acceptance of a physician's relinquishment of a license, stipulation, consent order, or other settlement, offered in response to or in anticipation of the filing of administrative charges against the physician's license, shall be construed as action against the physician's license.

WHEREFORE, 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.

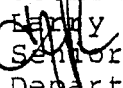
SIGNED this 1st day of March, 1990.

LARRY GONZALEZ, Secretary



BY: STEPHANIE A. DANIEL
Chief Medical Attorney

COUNSEL FOR DEPARTMENT:

 Erby G. McPherson
Senior Attorney
Department of Professional
Regulation
1940 North Monroe Street
Tallahassee, Fla. 32399-0792
(904) 488-0062
LGM/BG/mas

FILED

Department of Professional Regulation
AGENCY CLERK



CLERK _____

DATE 3-1-90