

STATE OF FLORIDA  
DEPARTMENT OF PROFESSIONAL REGULATION

BOARD: Medicine  
CASE NUMBER: 0090159  
COMPLAINT MADE BY: J [REDACTED] J [REDACTED]  
[REDACTED]  
DATE COMPLAINT RECEIVED: October 9, 1987  
COMPLAINT MADE AGAINST: Mauricio Rubio, M.D.  
1 Davis Blvd., Suite 204  
Tampa, Florida 33606  
REVIEWED BY: Stephanie A. Daniel  
STAFF RECOMMENDATION: CLOSE (PL-99)

CLOSING ORDER

THE COMPLAINT: Complainant alleges that the Subject engaged in false, misleading and deceptive advertising and solicited patients through the use of fraud, intimidation or undue influence in the advertising of a weight control program.

THE FACTS: This case was previously sent to the probable cause panel and a finding of probable cause was made. The panel directed that a letter of guidance be issued to Dr. Rubio. Recently, Dr. Rubio contacted the Department about the letter of guidance. Dr. Rubio explained that he had not been previously aware of the existence of the letter of guidance. Dr. Rubio first found out that he had been sent a letter of guidance during the pendency of a formal hearing against another licensee, Dr. Robert Willner. Dr. Rubio had cooperated with the Department in its efforts to prosecute Dr. Willner for alleged false, misleading and deceptive advertising of a weight control program.

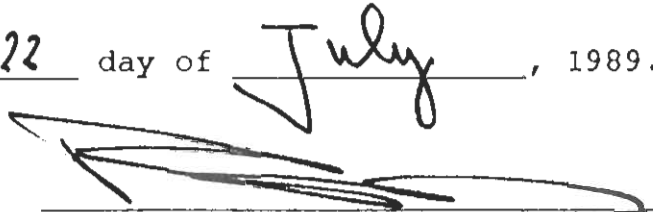
At the time that Dr. Rubio contacted the Department, he also furnished the Department with copies of two letters which he had sent to the Department advising the Department of the existence of the weight control program and advising the Department that he believed that his name was being inappropriately used by the weight control program for advertising purposes. The two letters were dated December 8, 1987, and January 12, 1988.

Thereafter, the signatures of Dr. Rubio were compared with the alleged signature of Dr. Rubio contained on the advertisement at issue. The signatures were clearly different. The signature on the advertisement appears to be a forgery.

THE LAW: Probable cause was previously properly found in this case. However, additional information reveals that this case should be closed without further action.

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

DONE and ORDERED this 22 day of July, 1989.



CHAIRMAN, Probable Cause Panel  
Board of Medicine

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