

CA

2-6-02

Final Order No. DOH-02-0659-~~F~~F-MQA  
FILED DATE - 5/16/02  
Department of Health

STATE OF FLORIDA  
BOARD OF MEDICINE

By: Dicki R. Kera  
Deputy Agency Clerk

AT

CCA-CWS

FILED  
MAY 13 PM 2:35  
DIVISION OF  
ADMINISTRATIVE  
HEARINGS

DEPARTMENT OF HEALTH,  
  
Petitioner,

vs.

DOH CASE NOS.: 1999-60445  
2000-05509  
DOAH CASE NO.: 01-0665PL  
LICENSE NO.: ME0063587

GHULAM MOHAMMED, M.D.,  
  
Respondent.

FINAL ORDER

THIS CAUSE came before the Board of Medicine (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on April 5, 2002, in Ft. Lauderdale, Florida, for the purpose of considering the Administrative Law Judge's Recommended Order, Exceptions to the Recommended Order, and Response to Exceptions (copies of which are attached hereto as Exhibit, A, B, and C, respectively) in the above-styled cause. Petitioner was represented by Ephraim Livingston, Senior Attorney. Respondent was represented by John W. Black, Esquire.

Upon review of the Recommended Order, the argument of the parties, and after a review of the complete record in this case, the Board makes the following findings and conclusions.

### RULING ON EXCEPTIONS

The Board reviewed and considered the Petitioner's Exceptions and the Respondent's Response to the Petitioner's Exceptions and denied the Exceptions for the reasons stated in Respondent's Response to Petitioner's Exceptions.

### FINDINGS OF FACT

1. The findings of fact set forth in the Recommended Order are approved and adopted and incorporated herein by reference.
2. There is competent substantial evidence to support the findings of fact.

### CONCLUSIONS OF LAW

1. The Board has jurisdiction of this matter pursuant to Section 120.57(1), Florida Statutes, and Chapter 458, Florida Statutes.
2. The conclusions of law set forth in the Recommended Order are approved and adopted and incorporated herein by reference.
3. There is competent substantial evidence to support the conclusions of law.

### DISPOSITION

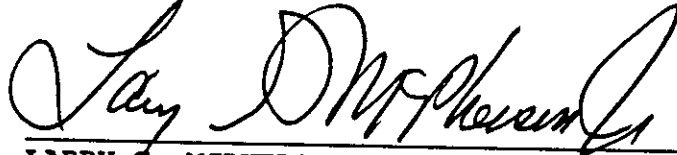
Upon a complete review of the record in this case, the Board determines that the disposition recommended by the Administrative Law Judge be ACCEPTED. WHEREFORE,

IT IS HEREBY ORDERED AND ADJUDGED that the Administrative Complaint filed in this case is hereby DISMISSED.

This Final Order shall take effect upon being filed with the Clerk of the Department of Health.

DONE AND ORDERED this 1 day of MAY, 2002.

BOARD OF MEDICINE



LARRY G. MCPHERSON, JR., BOARD DIRECTOR

For

ZACHARIAH P. ZACHARIAH, M.D.  
CHAIRMAN

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF HEALTH AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to Ghulam Mohammed, M.D., 407 E. Ash Street, Perry, Florida 32347; to John W. Black, Esquire, 2155 Delta Boulevard, Suite 210-A, Tallahassee, Florida 32303; to Charles C. Adams, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by interoffice delivery to Nancy M. Snurkowski, Chief Medical Attorney, and Lisa Pease, Senior Attorney - Appeals, Agency for Health Care Administration, 2727 Mahan Drive,

Tallahassee, Florida 32308-5403, on or before 5:00 p.m., this 6th  
day of May, 2002.

Jim Webb