

4-19-02

Final Order No. DOH-02-0989- FoF-MOA
FILED DATE - 6/26/02
Department of Health

STATE OF FLORIDA
BOARD OF MEDICINE

By: Dicki R. Keron
Deputy Agency Clerk

DEPARTMENT OF HEALTH,
Petitioner,

AT

FILED
JUL - 1 PM 3:15

vs.

DOH CASE NOS.: 2000-09823
2000-09825
2000-09828
2000-01093
2000-01575
1999-58939
DOAH CASE NOS.: 01-3795PL
01-3796PL
01-3797PL

01-2115 PL

LICENSE NO.: ME0039986

ROBERT M. KNIGHT, M.D.,
Respondent.

SBK-CLOS

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FINAL ORDER

THIS CAUSE came before the Board of Medicine (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on June 7, 2002, in Tampa, Florida, for the purpose of considering the Administrative Law Judge's Recommended Order (a copy of which is attached hereto as Exhibit A) in the above-styled cause. Petitioner was represented by Ephraim Livingston, Senior Attorney. Respondent was not present nor was he represented by counsel.

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.

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.

PENALTY

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

IT IS HEREBY ORDERED AND ADJUDGED that

1. Respondent's license to practice medicine in the State of Florida is hereby SUSPENDED for a period of one (1) year. In the event that Respondent's license expires during the period that the license is suspended, this action shall not relieve the Respondent of the responsibility to renew the license at the end of each licensure period. If the Respondent fails to renew the license at the end of any licensure period, all normal conditions and consequences imposed by statute or rule of the Board for failure to timely and properly renew a license shall apply. Renewal of a suspended license during the period of suspension shall not affect the suspension of the license and the

suspension shall continue in effect until the occurrence of the events or conditions which terminate the period of suspension as stated herein. Prior to reinstatement, Respondent must provide documentation of continuing medical education (CME) required for renewal.

2. Following the period of suspension, Respondent shall personally appear before the Board and be placed on PROBATION for a period of five (5) years. The terms and conditions of probation shall be imposed at the time of reinstatement.

3. Respondent shall pay an administrative fine in the amount of \$5,000 to the Board prior to reinstatement of licensure.

(NOTE: SEE "ATTACHMENT A" FOR STANDARD TERMS APPLICABLE TO ALL FINAL ORDERS. UNLESS OTHERWISE SPECIFIED BY FINAL ORDER, THE STANDARD TERMS SET FORTH THE REQUIREMENTS FOR PERFORMANCE OF ALL PENALTIES CONTAINED IN THE FINAL ORDER.)

RULING ON MOTION TO ASSESS COSTS

Upon motion by Petitioner and pursuant to §456.072(4), Florida Statutes, the Board assesses the costs related to the investigation and prosecution in this case in the amount of \$14,813.34 to be paid prior to reinstatement of licensure.

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

DONE AND ORDERED this 21 day of JUNE, 2002.

BOARD OF MEDICINE



LARRY G. MCPHERSON, JR., BOARD DIRECTOR
For
GUSTAVO LEON, M.D.
CHAIR-ELECT

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 Robert M. Knight, M.D., 5650 Camino Del Sol, #101, Boca Raton, Florida 33433; to William F. Quattlebaum, 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 21st day of June, 2002.

[Signature]