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STATE OF FLORIDA  
BOARD OF MEDICINE

Final Order No. DOH-07-1550-FOFMOA  
FILED DATE - 7.26.07  
Department of Health  
By: Rachel Brooks  
Deputy Agency Clerk

DEPARTMENT OF HEALTH,

Petitioner,

vs.

DOH CASE NO.: 2006-07801  
DOAH CASE NO.: 2006-4767PL  
LICENSE NO.: ME0029814

ISAAC NOSOVSKY, 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 June 1, 2007, in Tampa, Florida, for the purpose of considering the Administrative Law Judge's Recommended Order and Exceptions to the Recommended Order, and (copies of which are attached hereto as Exhibits A and B, respectively) in the above-styled cause. Petitioner was represented by April Skilling, Assistant General Counsel. Respondent was not present nor was he represented by counsel before the Board.

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.

RULINGS ON EXCEPTIONS

1. The Board reviewed the Respondent's exceptions and denied the exceptions because Respondent failed to clearly

identify the disputed portion of the recommended order by page or paragraph number and did not include appropriate and specific citations to the record.

2. The Board reviewed the Petitioner's exceptions to Paragraph 25 of the Recommended Order and accepts the exception for the reasons set forth in the Petitioner's exceptions. When amended, Paragraph 25 of the Conclusions of Law shall read as follows:

As to the Department's second basis for finding that Dr. Nosovsky has violated Section 458.331(1)(c), while it is true that Dr. Nosovsky's crimes indicate that he lacks honesty, integrity, trustworthiness, good judgment, and sound moral character, all characteristics which a physician should possess, it is concluded that many crimes demonstrate the lack of such character. Lack of those characteristics alone, may not, however, be sufficient to support a conclusion that the commission of a crime necessarily relates to the practice of medicine, but may, depending on the facts.

#### 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 as amended by Petitioner's exception set forth above.

PENALTY

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 Respondent's license to practice medicine in the State of Florida is hereby REVOKED.

RULING ON MOTION TO ASSESS COSTS

The Board reviewed the Petitioner's Motion to Assess Costs and imposes the costs associated with this case in the amount of \$7,653.05. Said costs are to be paid within 30 days from the date this Final Order is filed.

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

DONE AND ORDERED this 18 day of JULY,  
2007.

BOARD OF MEDICINE



Larry McPherson, Jr., Executive Director  
for H. FRANK FARMER, JR., M.D., Chair

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 ISAAC NOSOVSKY, M.D., Register #64798-004, Federal Detention Center, P.O. Box 019120, Miami, Florida 33101; and 1865 N. Corporate Lakes Boulevard, Suite 2, Weston, Florida 33326; to J. David Bogenschutz, Esquire, 600 S. Andrews Avenue, Suite 500, Ft. Lauderdale, Florida 33301; to Larry J. Sartin, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by interoffice delivery to Ephraim Livingston, Department of Health, 4052 Bald Cypress Way, Bin #C-65, Tallahassee, Florida 32399-3265 this 26 day of July, 2007.

KEENE DAVIDSON