

WB

STATE OF FLORIDA  
BOARD OF MEDICINE

By:

Deputy Agency Clerk

RECEIVED  
DIVISION OF  
ADMINISTRATIVE  
HEARINGS  
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DEPARTMENT OF HEALTH,

Petitioner,

vs.

DOH CASE NO.: 2004-27311

DOAH CASE NO.: 06-4906PL

LICENSE NO.: ME0060278

CHARLES FINN, 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 February 1, 2008, in Jacksonville, 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, Assistant General Counsel. Respondent was represented by Paula Rousselle, 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.

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.

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:

1. Respondent shall pay an administrative fine in the amount of \$2,500.00 to the Board within 30 days from the date this Final Order is filed.

2. Respondent shall document completion of the medical records course sponsored by the Florida Medical Association (FMA) within one year from the date this Final Order is filed.

3. Respondent shall be and hereby is REPRIMANDED by the Board.

MOTION TO ASSESS COSTS

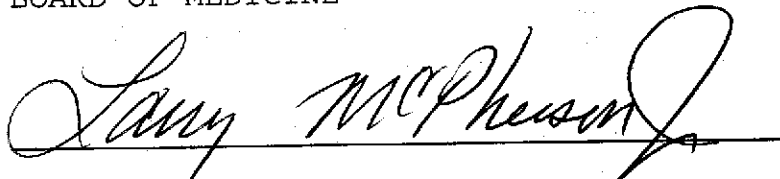
The Board tabled ruling on the Motion to Assess Costs until the next meeting of the Board of Medicine.

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

DONE AND ORDERED this 11 day of FEBRUARY,

2008.

BOARD OF MEDICINE



Larry McPherson, Jr., Executive Director  
for ROBERT CLINE, 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 CHARLES FINN, M.D., 5600 Central Avenue, St. Petersburg, Florida 33707; to Paula Rousselle, Esquire, Sieva, Rousselle & Stine, P.A., 601 West Swann Avenue, Suite B, Tampa, Florida 33606-2722 to Susan B. Harrell, 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 12<sup>th</sup> day of  
February, 2008.

Jackie Ryas

**Deputy Agency Clerk**