

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

Final Order No. DOH-09-1818-FOF-MOA
FILED DATE - 8/24/09
Department of Health
By: W. Monique L. Quinn
Deputy Agency Clerk

DEPARTMENT OF HEALTH,

Petitioner,

vs.

**DOH Case No.: 2004-33005
DOAH Case No.: 09-1044PL**

**GAIL PATRICIA BRACK, Ph.D.,
L.M.F.T., L.M.H.C.,**

Respondent.

FINAL ORDER

THIS MATTER came before the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on July 23, 2009, in Tampa, Florida, for the purpose of considering the Administrative Law Judge's Recommended Order (a copy is attached hereto as Exhibit A) in the above-styled cause. Petitioner was represented by Laura M. Fullerton Lopez, Assistant General Counsel. Respondent was neither present nor 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 by reference herein.

2. There is competent substantial evidence in the record 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 491, Florida Statutes.

2. The conclusions of law set forth in the Recommended Order are approved and adopted and incorporated by reference herein.

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

1. Respondent shall receive a reprimand from the Board.

2. Respondent shall pay an administrative fine in the amount of **three thousand dollars (\$3,000.00)** to the Compliance Officer for the Board within **two (2) years** from the filing date of this Final Order.

3. Respondent shall document the completion of **forty (40) hours** of continuing education within **two (2) years** of the filing date of this Final Order. These hours shall be in addition to those hours required for license renewal. Said continuing education courses must be pre-approved by the Board and shall consist of a formal live lecture format. Respondent shall complete **twenty (20) hours** in courses relevant to laws and rules governing the practice of mental health counseling and marriage and family therapy; **ten (10) hours** in ethics; and **ten (10) hours** in boundary issues. The Board

voted to include the coursework relevant to boundary issues based on findings of fact number 3, 4, and 6.

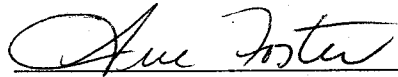
MOTION TO ASSESS COSTS

On June 22, 2009, the Department filed a Motion to Assess Costs. Respondent did not file objections to this Motion. After discussion of the Motion, the Board voted to impose costs in the amount of **seventeen thousand four hundred sixty-one dollars and thirty-five cents (\$17,461.35)**. The costs shall be paid within **two (2) years** of the filing date of this Final Order.

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

DONE AND ORDERED this 24 day of August, 2009.

**BOARD OF CLINICAL SOCIAL WORK,
MARRIAGE AND FAMILY THERAPY AND
MENTAL HEALTH COUNSELING**



Sue Foster., Executive Director
on behalf of Mary Macomber, Vice-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 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: **Gail Patricia Brack, Ph.D., LMFT, LMHC**, 2618 Tamiami Trail North PMB 702, Naples, Florida 34103; **Susan B. Harrell**, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by interoffice mail to: **Deborah B. Loucks**, Office of the Attorney General, The Capitol, PL-01, Tallahassee, Florida 32399-1050; and **Laura Lopez**, Assistant General Counsel, Department of Health, Prosecution Services Unit, 4052 Bald Cypress Way, Bin #C-65, Tallahassee, Florida 32399-3265, on August 24, _____, 2009.

Angel Sanders

Deputy Agency Clerk

STATE OF FLORIDA
DEPARTMENT OF HEALTH

JAN 11 2006

DEPARTMENT OF HEALTH,

Petitioner,

v.

CASE NO. 2004-33005

GAIL PATRICIA BRACK, Ph.D.,
L.M.F.T., L.M.H.C.,

Respondent.

ADMINISTRATIVE COMPLAINT

COMES NOW the Petitioner, Department of Health, by and through its undersigned counsel, and files this Administrative Complaint before the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling (Board) against Gail Patricia Brack, Ph.D., L.M.F.T., L.M.H.C., and alleges:

1. Petitioner is the state agency charged with regulating the practice of clinical social work, marriage and family therapy, and mental health counseling pursuant to section 20.43, Florida Statutes; Chapter 456, Florida Statutes; and Chapter 491, Florida Statutes.

2. Respondent is, and has been at all times material hereto, a licensed marriage and family therapist in the State of Florida, having been issued license number MT 1690 on February 3, 1999.

3. Respondent is, and has been at all times material hereto, a licensed mental health counselor in the State of Florida, having been issued license number MH 5526 on June 15, 1999.

4. Respondent's address of record is The Terraces, Suite 80, 8660 College Parkway, Fort Myers, Florida 33919.

5. Respondent first began counseling sessions with wife MMS; husband, JS; and minor child MS on or about May 23, 2000.

6. Respondent counseled MMS, JS, and MS as a couple, as a family, and then as divorcing parents who were concerned about how their son would cope with and adapt to the impending divorce.

7. Respondent counseled MMS, JS, and MS individually as well as MS with either of his parents.

8. In a letter dated March 11, 2004, written by the Respondent to the attorney representing MMS, Respondent disclosed statements made by JS to the Respondent during counseling sessions.

9. In a letter dated March 11, 2004, written by the Respondent to the attorney representing MMS, Respondent disclosed mental health diagnoses for JS.

10. In a letter dated March 11, 2004, written by the Respondent to the attorney representing MMS, Respondent disclosed medications that JS was taking for mental health issues.

11. In a letter dated March 11, 2004, written by the Respondent to the attorney representing MMS, Respondent disclosed mental health treatment history for JS.

12. In a letter dated March 11, 2004, written by the Respondent to the attorney representing MMS, Respondent disclosed suicidal ideations by JS.

13. In a letter dated March 11, 2004, written by the Respondent to the attorney representing MMS, Respondent indicated she was aware that JS protected the privacy of JS's psychiatric treatment records by choosing not to have his psychiatrist release records to the Respondent.

14. In a letter dated March 11, 2004, written by the Respondent to the attorney representing MMS, Respondent stated that J.S. suffered a severe and deep depression, which lasted for a couple years duration, in spite of his seeing a local psychiatrist for individual counseling and in spite of his trying a myriad of psychotropic medications, in extremely high doses and combinations, throughout that entire period of time, none of which seemed to adequately control his Major Depression.

15. In contrast to Respondent's description of J.S.'s medication regimen in a letter dated March 11, 2004, written by the Respondent to the attorney representing MMS, J.S.'s treating physician reports in a letter dated May 4, 2004, to Whom It May Concern, that J.S. has been a patient of the physician's practice for almost six years, that during an episode of depression in 2000 and 2001 J.S. was placed on a low dose of medication, he tolerated the medication well and got significant improvement from the low dose, after approximately six months J.S. was able to discontinue medication and he has been able to function well for several years without the medication.

16. On or about May 10, 2004, Respondent was given Notice of Taking of Deposition by the attorney for the former wife, MMS.

17. In a letter dated May 12, 2004, JS protected the privacy of his own counseling sessions with Respondent by asserting his psychotherapist-patient privilege

by directing Respondent not to disclose any information relating to matters addressed within the scope of JS's professional relationship with the Respondent.

18. In a letter dated May 12, 2004, JS protected the privacy of his son's counseling sessions with Respondent by asserting his son's psychotherapist-patient privilege by directing Respondent not to disclose any information relating to matters addressed within the scope of MS's professional relationship with the Respondent, until the court has appointed a guardian ad litem to protect the interests of MS.

19. During the May 13, 2004, deposition by the attorney for MMS, Respondent indicated that she was aware that JS had sent a facsimile letter to her asserting psychotherapist-client privilege for JS and his son MS, but Respondent had not had an opportunity to read more than the cover sheet, which Respondent stated that JS was claiming psychotherapist/patient confidentiality for himself and also for his son MS.

20. During the May 13, 2004, deposition by the attorney for MMS, Respondent indicated that she was aware that the attorney representing JS had left a voice message for Respondent indicating that JS was asserting psychotherapist/client privilege for JS and his son MS.

21. During the May 13, 2004, deposition by the attorney for MMS, when asked whether Respondent was asserting privilege for purposes of the deposition that day, Respondent answered that she was not sure, that she was only asserting it until she could get a legal opinion.

22. During the May 13, 2004, deposition by the attorney for MMS, when asked whether Respondent was asserting privilege for purposes of the deposition that day, Respondent answered that she was asserting partial privilege.

23. During the May 13, 2004, deposition by the attorney for MMS, during a period of voir dire by the attorney representing JS in an attempt to determine the extent to which the Respondent was asserting privilege, Respondent indicated that she was licensed in the State of Florida as a mental health counselor and as a marriage and family therapist, but was uncertain of the statutes and rules that governed her licensure.

24. During the May 13, 2004, deposition by the attorney for MMS, during a period of voir dire by the attorney representing JS in an attempt to determine the extent to which the Respondent was asserting privilege, the attorney explained Section 491.0147, Florida Statutes, which provides conditions under which the psychotherapist-client privilege may be waived.

25. During the May 13, 2004, deposition by the attorney for MMS, during a period of voir dire by the attorney representing JS in an attempt to determine the extent to which the Respondent was asserting privilege, Respondent claimed she was not an attorney and therefore could not give an opinion as to whether any of the conditions for waiver of the psychotherapist-client privilege applied to the assertion of privilege by JS for JS and his son MS.

26. During the May 13, 2004, deposition by the attorney for MMS, during a period of voir dire by the attorney representing JS in an attempt to determine the extent to which the Respondent was asserting privilege, Respondent admitted that she had only a limited waiver from JS for a prior treating care giver.

27. During the May 13, 2004, deposition by the attorney for MMS, during a period of voir dire by the attorney representing JS in an attempt to determine the

extent to which the Respondent was asserting privilege, when referring to a waiver in writing, Respondent asked if that meant a release form.

28. During the May 13, 2004, deposition by the attorney for MMS, during a period of voir dire by the attorney representing JS in an attempt to determine the extent to which the Respondent was asserting privilege, when asked if Respondent believed there is a clear and immediate probability of physical harm that causes Respondent to break the client confidentiality asserted by JS, Respondent replied that she does fear that MS's safety is at-risk with his father, JS.

29. During the May 13, 2004, deposition by the attorney for MMS, during a period of voir dire by the attorney representing JS in an attempt to determine the extent to which the Respondent was asserting privilege, when asked if Respondent believed there is a clear and immediate probability of physical harm that causes Respondent to break the client confidentiality asserted by JS, Respondent referred to a mediation event with the family that occurred one or more years prior.

30. During the May 13, 2004, deposition by the attorney for MMS, during a period of voir dire by the attorney representing JS in an attempt to determine the extent to which the Respondent was asserting privilege, when asked if Respondent believed there is a clear and immediate probability of physical harm that causes Respondent to break the client confidentiality asserted by JS, Respondent replied that she thinks there is an immediate potential, that she doesn't know that there was, there is, a probability.

31. During the May 13, 2004, deposition by the attorney representing MMS, during a period of voir dire by the attorney representing JS in an attempt to determine

the extent to which the Respondent was asserting privilege, when asked if Respondent reported to the police or the Department of Children and Families that Respondent feared that MS's safety is at risk with JS, Respondent replied no, that she had reported it to JS and to MMS.

32. During the May 13, 2004, deposition by the attorney representing MMS, when asked questions about her client JS, Respondent did not know whether to assert privilege or to answer the questions.

33. During the May 13, 2004, deposition by the attorney representing MMS, when asked questions about her client JS, Respondent eventually stated that she does not want to assert the therapist-patient privilege.

34. During the May 13, 2004, deposition by the attorney representing MMS, when asked questions about her client JS, Respondent changed her mind and stated that she does want to assert the therapist-patient privilege.

35. During the May 13, 2004, deposition by the attorney representing MMS, when asked whether Respondent was asserting therapist-patient privilege, Respondent stated that she was intimidated and feels threatened.

36. During the May 13, 2004, deposition by the attorney representing MMS, when asked questions about her client JS, Respondent acknowledged a therapeutic relationship with JS.

37. At the conclusion of the May 13, 2004, deposition by the attorney representing MMS, Respondent reserved the right to read and make corrections via an errata sheet.

38. On or about June 7, 2004, Respondent was notified of the transcription of the deposition, but the deposition included neither corrections nor Respondent's signature.

COUNT ONE

39. Petitioner re-alleges and incorporates paragraphs 1-38 as if fully set forth in this count.

40. Section 491.009(1)(u), Florida Statutes (2003), provides that failure of the licensee to maintain in confidence a communication made by a patient or client in the context of such services, except as provided in s. 491.0147, constitutes grounds for disciplinary action by the Board.

41. Section 491.0147, Florida Statutes (2003), provides that any communication between any person licensed or certified under this chapter and her or his patient or client shall be confidential. This secrecy may be waived under the following conditions: (1) When the person licensed or certified under this chapter is a party defendant to a civil, criminal, or disciplinary action arising from a complaint filed by the patient or client, in which case the waiver shall be limited to that action; (2) When the patient or client agrees to the waiver, in writing, or, when more than one person in a family is receiving therapy, when each family member agrees to the waiver, in writing; or (3) When there is a clear and immediate probability of physical harm to the patient or client, to other individuals, or to society and the person licensed or certified under this chapter communicates the information only to the potential victim, appropriate family member, or law enforcement or other appropriate authorities.

42. Respondent violated Section 491.009(1)(u) by failing to maintain in confidence communications made by JS as a patient or client in the context of such services, in a letter dated March 11, 2004, to the attorney representing MMS, in the absence of any exception as provided by in Section 491.0147, Florida Statutes (2003).

43. Based on the foregoing, Respondent violated Section 491.009(1)(u), Florida Statutes (2003), by failing on March 11, 2004, to maintain in confidence communications made by JS as a patient or client in the context of such services.

COUNT TWO

44. Petitioner re-alleges and incorporates paragraphs 1-8 as if fully set forth in this count.

45. Petitioner re-alleges and incorporates paragraphs 1-38 as if fully set forth in this count.

46. Section 491.009(1)(u), Florida Statutes (2003), provides that failure of the licensee to maintain in confidence a communication made by a patient or client in the context of such services, except as provided in s. 491.0147, constitutes grounds for disciplinary action by the Board.

47. Section 491.0147, Florida Statutes (2003), provides that any communication between any person licensed or certified under this chapter and her or his patient or client shall be confidential. This secrecy may be waived under the following conditions: (1) When the person licensed or certified under this chapter is a party defendant to a civil, criminal, or disciplinary action arising from a complaint filed by the patient or client, in which case the waiver shall be limited to that action; (2) When the patient or client agrees to the waiver, in writing, or, when more than one

person in a family is receiving therapy, when each family member agrees to the waiver, in writing; or (3) When there is a clear and immediate probability of physical harm to the patient or client, to other individuals, or to society and the person licensed or certified under this chapter communicates the information only to the potential victim, appropriate family member, or law enforcement or other appropriate authorities.

48. Respondent violated Section 491.009(1)(u) by failing to maintain in confidence communications made by JS and his son MS as patients or clients in the context of such services, during a May 13, 2004, deposition by the attorney representing MMS, in the absence of any exception as provided by in Section 491.0147, Florida Statutes (2003).

49. Based on the foregoing, Respondent violated Section 491.009(1)(u), Florida Statutes (2003), by failing on May 13, 2004, to maintain in confidence communications made by JS as a patient or client in the context of such services.

COUNT THREE

50. Petitioner re-alleges and incorporates paragraphs 1-38 as if fully set forth in this count.

51. Section 491.009(1)(r), Florida Statutes (2003) provides that failing to meet the minimum standards of performance in professional activities when measured against generally prevailing peer performance constitutes grounds for disciplinary action by the Board.

52. The minimum standards of performance in professional activities when measured against generally prevailing peer performance require that a practicing mental health counselor and marriage and family therapist be responsible for knowing

and abiding by the rules and statutes governing the profession, including the rules and statutes pertaining to therapist-client confidentiality, and when and how to assert or waive therapist-client privilege.

53. Respondent failed to meet the minimum standards of performance during the May 13, 2004, deposition by demonstrating that she did not know when and how to assert or waive therapist-client privilege to protect the confidentiality of her patients or clients.

54. Based on the foregoing, Respondent violated Section 491.009(1)(r), Florida Statutes (2003), failing to meet the minimum standards of performance in professional activities by demonstrating during a deposition that she did not know when and how to assert or waive therapist-client privilege to protect the confidentiality of her patients or clients.

COUNT FOUR

55. Petitioner re-alleges and incorporates paragraphs 1-38 as if fully set forth in this count.

56. Section 491.009(1)(r), Florida Statutes (2003) provides that failing to meet the minimum standards of performance in professional activities when measured against generally prevailing peer performance constitutes grounds for disciplinary action by the Board.

57. The minimum standards of performance in professional activities when measured against generally prevailing peer performance require that a practicing mental health counselor and marriage and family therapist maintain strict boundaries

with their clients with regard to information communicated and the manner in which information is communicated.

58. Respondent failed to meet the minimum standards of performance in professional activities by communicating to JS that Respondent expects him to pay bill because Respondent knows that JS has a sizeable savings account because it is not Respondent's place or responsibility to share with JS Respondent's opinions about JS's ability to pay.

59. Respondent failed to meet the minimum standards of performance in professional activities by communicating to JS the details of sharing of time, space, and costs regarding Respondent's work situation, and Respondent's personal crisis with the flooding of Respondent's office, as a justification for JS to pay for services Respondent provided.

60. Respondent failed to meet the minimum standards of performance in professional activities by inaccurately describing through exaggeration the medications JS was given to treat depression.

61. Based on the foregoing, Respondent violated Section 491.009(1)(r), Florida Statutes (2003), failing to meet the minimum standards of performance in professional activities by failing to maintain boundaries with regard to the information she provided to JS and about JS.

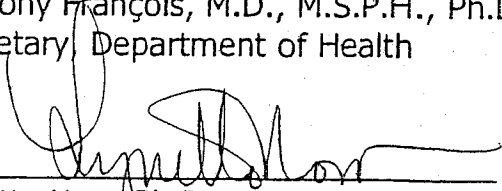
WHEREFORE, the Petitioner respectfully requests that the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling enter an order imposing one or more of the following penalties: permanent revocation or suspension of Respondent's license, restriction of practice, imposition of an administrative fine,

issuance of a reprimand, placement of the Respondent on probation, corrective action, refund of fees billed or collected, remedial education and/or any other relief that the Board deems appropriate.

SIGNED this 10th day of May, 2006.

M. Rony François, M.D., M.S.P.H., Ph.D.
Secretary, Department of Health

By: _____


Lynette Norr, Ph.D.
Assistant General Counsel
Florida Bar Number 0010717
Department of Health
Prosecution Services Unit
4052 Bald Cypress Way, Bin C-65
Tallahassee, FL 32399-3265
(850) 245-4640
(850) 245-4682 FAX

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK *Jhenna McKinn*
DATE 5-11-06

PCP Date: April 20, 2006
PCP-2 Members: Zachary, Shyers, Adejokun-Ojo

NOTICE OF RIGHTS

Respondent has the right to request a hearing to be conducted in accordance with Section 120.569 and 120.57, Florida Statutes, to be represented by counsel or other qualified representative, to present evidence and argument, to call and cross-examine witnesses and to have subpoena and subpoena duces tecum issued on his or her behalf if a hearing is requested.

NOTICE REGARDING ASSESSMENT OF COSTS

Respondent is placed on notice that Petitioner has incurred costs related to the investigation and prosecution of this matter. Pursuant to Section 456.072(4), Florida Statutes, the Board shall assess costs related to the investigation and prosecution of a disciplinary matter, which may include attorney hours and costs, on the Respondent in addition to any other discipline imposed.

STATE OF FLORIDA
DEPARTMENT OF HEALTH

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK: *Amy R. Conway*
DATE 6-22-09

DEPARTMENT OF HEALTH,

Petitioner,

v.

CASE NO. 2004-33005

GAIL PATRICIA BRACK, PH.D.,
L.M.F.T., L.M.H.C.

Respondent

**MOTION TO ASSESS COSTS IN ACCORDANCE WITH
SECTION 456.072(4)**

COMES NOW the Department of Health, by and through undersigned counsel, and moves the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling for the entry of a Final Order assessing costs against the Respondent for the investigation and prosecution of this case in accordance with Section 456.072(4), Florida Statutes (2006). As grounds therefore, the Petitioner states the following:

1. At its next regularly scheduled meeting, the Board Clinical Social Work, Marriage and Family Therapy, and Mental Health

Counseling will take up for consideration the above-styled disciplinary action and will enter a Final Order therein.

2. Section 456.072(4), Florida Statutes (2006),¹ states as follows:

In addition to any other discipline imposed through final order, or citation, entered on or after July 1, 2001, pursuant to this section or discipline imposed through final order, or citation, entered on or after July 1, 2001, for a violation of any practice act, the board, or the department when there is not board, shall assess costs related to the investigation and prosecution of the case. The costs related to the investigation and prosecution include, but are not limited to, salaries and benefits of personnel, costs related to the time spent by the attorney and other personnel working on the case, and any other expenses incurred by the department for the case. The board, or the department when there is no board, shall determine the amount of costs to be assessed after its consideration of an affidavit of itemized costs and any written objections thereto. . . .

3. The investigation and prosecution of this case has resulted in costs in the total amount of \$17,461.35, based on the following itemized statement of costs:

	***** Cost to Date *****	
	Hours	Costs
Complaint:		\$167.39
Investigation:		\$1,044.86
Legal:		\$14,587.23
	*****	*****
Sub Total:		\$15,799.48
Expenses to Date:		\$1,661.87
Prior Amount:		\$0.00
Total Costs to Date:		\$17,461.35

Therefore, the Petitioner seeks an assessment of costs against the Respondent in the amount of \$17,461.35 as evidenced in the attached affidavit. (Exhibit A).

4. Should the Respondent file written objections to the assessment of costs, within ten (10) days of the date of this motion, specifying the grounds for the objections and the specific elements of the costs to which the objections are made, the Petitioner requests that the Board determine the amount of costs to be assessed based

¹ Ch. 2003-416, § 19, Laws of Fla., effective September 15, 2003, amended Section 456.072(4), Florida Statutes (2003), to include the underlined language.


upon its consideration of the affidavit attached as Exhibit A and any timely-filed written objections.

5. Petitioner requests that the Board grant this motion and assess costs in the amount of \$17,461.35 as supported by competent, substantial evidence. This assessment of costs is in addition to any other discipline imposed by the Board and is in accordance with Section 456.072(4), Florida Statutes (2006)

WHEREFORE, the Department of Health requests that the Board of Psychology enter a Final Order assessing costs against the Respondent in the amount of \$17,461.35.

DATED this 22^d day of JUNE, 2009.

Respectfully submitted,



Patrick L. Butler
Assistant General Counsel
DOH Prosecution Services Unit
4052 Bald Cypress Way, Bin C-65
Tallahassee, FL 32399-3265
Florida Bar # 0762776
(850) 245-4640 Telephone
(850) 245-4682 Fax

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion to Assess Costs has been provided by U.S. Mail this 22^d day of JUNE, 2009, to: Gail Patricia Brack, 2618 Tamiami Trail North, PMB 702, Naples, Florida 34103.



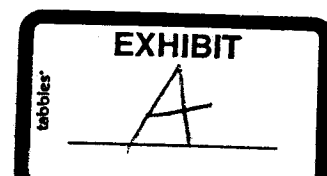
Patrick L. Butler
Assistant General Counsel

AFFIDAVIT OF FEES AND COSTS EXPENDED

STATE OF FLORIDA
COUNTY OF LEON:

BEFORE ME, the undersigned authority, personally appeared **JULIE M. WEEKS** who was sworn and states as follows:

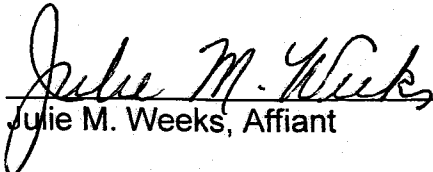
- 1) My name is Julie M. Weeks.
- 2) I am over the age of 18, competent to testify, and make this affidavit upon my own personal knowledge and after review of the records at the Florida Department of Health (DOH).
- 3) I am the Operations and Management Consultant Manager (OMCM) for the Consumer Services and Compliance Management Unit for DOH. The Consumer Services Unit is where all complaints against Florida health care licensees (e.g., medical doctors, dentists, nurses, respiratory therapists) are officially filed. I have been in my current job position for more than one year. My business address is 4052 Bald Cypress Way, Bin C-75 Tallahassee, Florida 32399-3275.
- 4) As OMCM of the Consumer Services and Compliance Management Unit, my job duties include reviewing data in the Time Tracking System and verifying that the amounts correspond. The Time Tracking System is a computer program which records and tracks DOH's costs regarding the investigation and prosecution of cases against Florida health care licensees.
- 5) As of today, DOH's total costs for investigating and prosecuting DOH case number(s) **2004-33005** (Department of Health v. **Gail Patricia Brack**) are **SEVENTEEN THOUSAND FOUR HUNDRED SIXTY-ONE DOLLARS AND THIRTY-FIVE CENTS (\$17,461.35)**
- 6) The costs for DOH case numbers **2004-33005** (Department of Health v. **Gail Patricia Brack**) are summarized in Exhibit 1 (Cost Summary Report), which is attached to this document.
- 7) The itemized costs and expenses for DOH case numbers **2004-33005** (Department of Health v. **Gail Patricia Brack**) are detailed in Exhibit 2 (Itemized Cost Report and Itemized Expense Report and receipts), which is attached to this document.
- 8) The itemized costs as reflected in Exhibit 2 are determined by the following method: DOH employees who work on cases daily are to keep track of their time in six-minute increments (e.g., investigators



and lawyers). A designated DOH employee in the Consumer Services Unit, Legal Department, and in each area office, inputs the time worked and expenses spent into the Time Tracking System. Time and expenses are charged against a state health care Board (e.g., Florida Board of Medicine, Florida Board of Dentistry, Florida Board of Osteopathic Medicine), and/or a case. If no Board or case can be charged, then the time and expenses are charged as administrative time. The hourly rate of each employee is calculated by formulas established by the Department. (See the Itemized Cost Report)

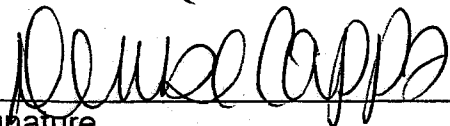
- 9) Julie M. Weeks, first being duly sworn, states that she has read the foregoing Affidavit and its attachments and the statements contained therein are true and correct to the best of her knowledge and belief.

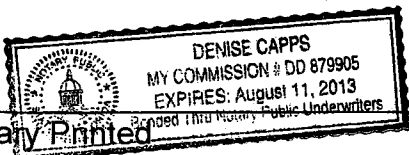
FURTHER AFFIANT SAYETH NOT.


Julie M. Weeks, Affiant

State of Florida
County of Leon

Sworn to and subscribed before me this 18th day of June, 2009,
by Julie M. Weeks, who is personally known to me.


Notary Signature


Name of Notary Printed

Stamp Commissioned Name of Notary Public:

Complaint Cost Summary

Complaint Number: 200433005

Complainant's Name: S , J

Subject's Name: BRACK, GAIL PATRICIA

	***** Cost to Date *****	
	Hours	Costs
Complaint:	3.50	\$167.39
Investigation:	17.50	\$1,044.86
Legal:	128.10	\$14,587.23
Compliance:	0.00	\$0.00
	*****	*****
Sub Total:	149.10	\$15,799.48
Expenses to Date:		\$1,661.87
Prior Amount:		\$0.00
Total Costs to Date:		\$17,461.35

**Time Tracking System
Itemized Cost by Complaint**

Complaint 200433005

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Staff Code	Activity Hours	Staff Rate	Cost	Activity Date	Activity Code	Activity Description
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CONSUMER SERVICES UNIT

HA11	1.00	\$47.73	\$47.73	09/03/2004	78	INITIAL REVIEW AND ANALYSIS OF COMPLAINT
HA11	0.80	\$47.73	\$38.18	09/17/2004	78	INITIAL REVIEW AND ANALYSIS OF COMPLAINT
HA11	1.50	\$47.73	\$71.60	10/21/2004	78	INITIAL REVIEW AND ANALYSIS OF COMPLAINT
HA11	0.10	\$49.41	\$4.94	07/11/2006	78	INITIAL REVIEW AND ANALYSIS OF COMPLAINT
HA11	0.10	\$49.41	\$4.94	07/12/2006	35	TELEPHONE CALLS
Sub Total	3.50		\$167.39			

INVESTIGATIVE SERVICES UNIT

FI39	3.00	\$57.54	\$172.62	09/23/2004	4	ROUTINE INVESTIGATIVE WORK
FI39	1.00	\$57.54	\$57.54	11/01/2004	4	ROUTINE INVESTIGATIVE WORK
FI39	0.50	\$57.54	\$28.77	11/04/2004	4	ROUTINE INVESTIGATIVE WORK
FI39	1.50	\$57.54	\$86.31	11/08/2004	100	SERVICE OF ADMINISTRATIVE COMPLAINTS, SUBPOENAS, NOTICE TO CEASE
FI39	0.50	\$57.54	\$28.77	12/01/2004	4	ROUTINE INVESTIGATIVE WORK
FI39	2.50	\$57.54	\$143.85	12/02/2004	76	REPORT PREPARATION
FI39	2.00	\$57.54	\$115.08	12/10/2004	76	REPORT PREPARATION
FI39	0.50	\$57.54	\$28.77	12/14/2004	76	REPORT PREPARATION
FI39	0.50	\$65.49	\$32.75	03/05/2009	6	SUPPLEMENTAL INVESTIGATION
FI39	1.00	\$65.49	\$65.49	03/05/2009	58	TRAVEL TIME
FI39	0.50	\$65.49	\$32.75	03/09/2009	6	SUPPLEMENTAL INVESTIGATION
FI39	0.50	\$63.04	\$31.52	03/25/2009	6	SUPPLEMENTAL INVESTIGATION
FI39	1.00	\$63.04	\$63.04	03/25/2009	58	TRAVEL TIME
FI39	1.00	\$63.04	\$63.04	03/30/2009	76	REPORT PREPARATION
FI39	0.50	\$63.04	\$31.52	04/02/2009	6	SUPPLEMENTAL INVESTIGATION
FI39	0.50	\$63.04	\$31.52	04/15/2009	76	REPORT PREPARATION
FI39	0.50	\$63.04	\$31.52	04/16/2009	6	SUPPLEMENTAL INVESTIGATION
Sub Total	17.50		\$1,044.86			

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PROSECUTION SERVICES UNIT						
HL54A	0.70	\$77.43	\$54.20	02/17/2005	25	REVIEW CASE FILE
HL54A	0.60	\$77.43	\$46.46	05/24/2005	25	REVIEW CASE FILE
HL54A	0.20	\$77.43	\$15.49	08/26/2005	25	REVIEW CASE FILE
HLL32B	0.90	\$120.72	\$108.65	02/14/2006	25	REVIEW CASE FILE
HLL32B	0.60	\$120.72	\$72.43	02/14/2006	36	PREPARATION OR REVISION OF LETTER
HLL32B	0.30	\$120.72	\$36.22	03/30/2006	102	REVIEW EXPERT WITNESS REPORT
HLL32B	0.30	\$120.72	\$36.22	03/30/2006	25	REVIEW CASE FILE
HLL32B	0.70	\$120.72	\$84.50	04/03/2006	25	REVIEW CASE FILE
HLL32B	1.20	\$120.72	\$144.86	04/03/2006	28	PREPARE OR REVISE ADMINISTRATIVE COMPLAINT
HLL32B	0.20	\$120.72	\$24.14	04/06/2006	28	PREPARE OR REVISE ADMINISTRATIVE COMPLAINT
HLL32B	0.40	\$120.72	\$48.29	04/06/2006	25	REVIEW CASE FILE
HLL32B	0.40	\$120.72	\$48.29	04/07/2006	28	PREPARE OR REVISE ADMINISTRATIVE COMPLAINT
HLL32B	0.10	\$120.72	\$12.07	04/20/2006	63	PRESENTATION OF CASES TO PROBABLE CAUSE PANEL
HLL32B	0.90	\$120.72	\$108.65	04/20/2006	89	PROBABLE CAUSE PREPARATION
HLL32B	1.50	\$120.72	\$181.08	05/17/2006	79	STIPULATION
HLL32B	0.20	\$120.72	\$24.14	06/14/2006	35	TELEPHONE CALLS
HLL32B	0.20	\$120.72	\$24.14	07/13/2006	35	TELEPHONE CALLS
HLL32B	0.20	\$120.72	\$24.14	07/13/2006	36	PREPARATION OR REVISION OF LETTER
HLL32B	0.10	\$120.72	\$12.07	08/07/2006	64	LEGAL ADVICE/DISCUSSION - BOARD OFFICE,DEPT STAFF OR ATTY GEN OFFI
HLL32B	0.10	\$120.72	\$12.07	08/15/2006	25	REVIEW CASE FILE
HLL32B	0.20	\$120.72	\$24.14	08/17/2006	25	REVIEW CASE FILE
HLL32B	0.20	\$120.72	\$24.14	08/17/2006	35	TELEPHONE CALLS
HLL32B	0.10	\$120.72	\$12.07	08/30/2006	35	TELEPHONE CALLS
HLL32B	0.20	\$120.72	\$24.14	09/08/2006	35	TELEPHONE CALLS
HLL32B	0.70	\$120.72	\$84.50	09/14/2006	70	CONFERENCES WITH LAWYERS
HLL32B	0.40	\$120.72	\$48.29	09/14/2006	25	REVIEW CASE FILE
HLL32B	0.10	\$120.72	\$12.07	09/15/2006	37	REVIEW LETTER
HLL32B	0.10	\$120.72	\$12.07	09/18/2006	37	REVIEW LETTER
HLL32B	0.10	\$120.72	\$12.07	09/25/2006	37	REVIEW LETTER
HLL49A	0.50	\$122.84	\$61.42	12/01/2006	25	REVIEW CASE FILE



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HLL49A	1.00	\$122.84	\$122.84	12/07/2006	25	REVIEW CASE FILE
HLL49B	0.20	\$126.00	\$25.20	01/31/2007	25	REVIEW CASE FILE
HLL49B	0.10	\$126.00	\$12.60	01/31/2007	70	CONFERENCES WITH LAWYERS
HLL49B	0.20	\$126.00	\$25.20	01/31/2007	35	TELEPHONE CALLS
HLL49B	0.30	\$126.00	\$37.80	01/31/2007	36	PREPARATION OR REVISION OF LETTER
HLL49B	0.50	\$126.00	\$63.00	01/31/2007	25	REVIEW CASE FILE
HLL49B	0.10	\$126.00	\$12.60	02/13/2007	35	TELEPHONE CALLS
HLL49B	0.20	\$126.00	\$25.20	02/15/2007	35	TELEPHONE CALLS
HLL49B	0.40	\$126.00	\$50.40	02/16/2007	25	REVIEW CASE FILE
HLL49B	0.60	\$126.00	\$75.60	02/16/2007	70	CONFERENCES WITH LAWYERS
HLL49B	0.70	\$126.00	\$88.20	07/02/2007	25	REVIEW CASE FILE
HLL49B	0.10	\$126.00	\$12.60	07/02/2007	35	TELEPHONE CALLS
HLL49B	0.10	\$126.00	\$12.60	07/02/2007	26	PREPARE OR REVISE MEMORANDUM
HLL49B	0.10	\$126.00	\$12.60	07/05/2007	35	TELEPHONE CALLS
HLL49B	1.00	\$126.00	\$126.00	07/16/2007	79	STIPULATION
HLL49B	0.10	\$126.00	\$12.60	07/16/2007	35	TELEPHONE CALLS
HLL49B	0.10	\$126.00	\$12.60	07/18/2007	35	TELEPHONE CALLS
HLL49B	0.20	\$109.60	\$21.92	09/07/2007	35	TELEPHONE CALLS
HLL49B	0.10	\$109.60	\$10.96	09/14/2007	35	TELEPHONE CALLS
HLL49B	0.10	\$109.60	\$10.96	09/14/2007	35	TELEPHONE CALLS
HLL49B	0.20	\$109.60	\$21.92	09/25/2007	35	TELEPHONE CALLS
HLL49B	0.20	\$109.60	\$21.92	09/25/2007	35	TELEPHONE CALLS
HLL49B	0.20	\$109.60	\$21.92	09/26/2007	25	REVIEW CASE FILE
HLL49B	0.30	\$109.60	\$32.88	09/26/2007	70	CONFERENCES WITH LAWYERS
HLL49B	0.20	\$109.60	\$21.92	09/28/2007	26	PREPARE OR REVISE MEMORANDUM
HLL49B	0.20	\$109.60	\$21.92	10/01/2007	35	TELEPHONE CALLS
HLL49B	0.20	\$109.60	\$21.92	10/01/2007	35	TELEPHONE CALLS
HLL49B	3.20	\$109.60	\$350.72	10/02/2007	35	TELEPHONE CALLS
HLL49B	0.20	\$109.60	\$21.92	10/02/2007	79	STIPULATION
HLL49B	0.20	\$91.00	\$18.20	10/22/2007	88	PROOFING AND SIGNING LETTERS
HLL49B	0.20	\$111.56	\$22.31	02/19/2008	25	REVIEW CASE FILE
HLL49B	0.20	\$111.56	\$22.31	02/25/2008	35	TELEPHONE CALLS
HLL49B	0.20	\$111.56	\$22.31	03/04/2008	35	TELEPHONE CALLS



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HLL49B	0.20	\$111.56	\$22.31	03/04/2008	79	STIPULATION
HLL49B	0.10	\$111.56	\$11.16	03/04/2008	35	TELEPHONE CALLS
HLL49B	0.10	\$111.56	\$11.16	03/10/2008	26	PREPARE OR REVISE MEMORANDUM
HLL49B	0.10	\$111.56	\$11.16	03/17/2008	35	TELEPHONE CALLS
HLL5B	0.30	\$78.71	\$23.61	03/18/2008	64	LEGAL ADVICE/DISCUSSION - BOARD OFFICE, DEPT STAFF OR ATTY GEN OFF
HLL49B	0.30	\$111.56	\$33.47	03/18/2008	36	PREPARATION OR REVISION OF LETTER
HLL49B	0.80	\$111.56	\$89.25	03/18/2008	25	REVIEW CASE FILE
HLL49B	0.20	\$111.56	\$22.31	03/21/2008	35	TELEPHONE CALLS
HLL49B	0.20	\$111.56	\$22.31	03/26/2008	26	PREPARE OR REVISE MEMORANDUM
HLL49B	0.20	\$111.56	\$22.31	03/26/2008	26	PREPARE OR REVISE MEMORANDUM
HLL49B	0.10	\$111.56	\$11.16	04/01/2008	40	PREPARATION OF OR REVISION OF A PLEADING
HLL49B	0.20	\$111.56	\$22.31	04/09/2008	91	BOARD MEETING PREPARATION
HLL53A	0.20	\$111.56	\$22.31	04/23/2008	60	MISCELLANEOUS
HLL53A	0.30	\$111.56	\$33.47	04/23/2008	70	CONFERENCES WITH LAWYERS
HLL53A	0.40	\$111.56	\$44.62	04/23/2008	35	TELEPHONE CALLS
HLL49B	0.50	\$111.56	\$55.78	04/23/2008	70	CONFERENCES WITH LAWYERS
HLL53A	0.30	\$111.56	\$33.47	04/24/2008	35	TELEPHONE CALLS
HLL53A	0.20	\$111.56	\$22.31	04/24/2008	70	CONFERENCES WITH LAWYERS
HLL53A	0.30	\$111.56	\$33.47	04/24/2008	35	TELEPHONE CALLS
HLL49B	0.20	\$111.56	\$22.31	04/24/2008	70	CONFERENCES WITH LAWYERS
HLL49B	0.10	\$111.56	\$11.16	04/24/2008	26	PREPARE OR REVISE MEMORANDUM
HLL49B	0.10	\$111.56	\$11.16	04/24/2008	26	PREPARE OR REVISE MEMORANDUM
HLL53A	0.20	\$111.56	\$22.31	04/29/2008	60	MISCELLANEOUS
HLL53A	0.20	\$111.56	\$22.31	04/29/2008	60	MISCELLANEOUS
HLL53A	0.30	\$111.56	\$33.47	04/30/2008	35	TELEPHONE CALLS
HLL53A	0.20	\$111.56	\$22.31	05/02/2008	37	REVIEW LETTER
HLL53A	0.30	\$111.56	\$33.47	06/17/2008	35	TELEPHONE CALLS
HLL53A	0.20	\$111.56	\$22.31	06/23/2008	60	MISCELLANEOUS
HLL29B	0.10	\$111.56	\$11.16	07/25/2008	35	TELEPHONE CALLS
HLL29B	0.30	\$111.56	\$33.47	07/25/2008	25	REVIEW CASE FILE
HLL29B	1.00	\$111.56	\$111.56	08/05/2008	25	REVIEW CASE FILE
HLL29B	0.20	\$111.56	\$22.31	08/07/2008	25	REVIEW CASE FILE
HLL29B	0.30	\$111.56	\$33.47	08/11/2008	79	STIPULATION



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HLL29B	0.10	\$111.56	\$11.16	09/02/2008	25	REVIEW CASE FILE
HLL29B	0.70	\$111.56	\$78.09	10/09/2008	25	REVIEW CASE FILE
HLL29B	0.50	\$111.56	\$55.78	10/10/2008	39	PREPARE/RESPOND TO DISCOVERY
HLL29B	1.00	\$111.56	\$111.56	10/15/2008	25	REVIEW CASE FILE
HLL29B	1.50	\$111.56	\$167.34	10/15/2008	39	PREPARE/RESPOND TO DISCOVERY
HLL29B	0.50	\$111.56	\$55.78	10/17/2008	25	REVIEW CASE FILE
HLL29B	0.30	\$111.56	\$33.47	10/21/2008	25	REVIEW CASE FILE
HLL29B	0.70	\$111.56	\$78.09	11/17/2008	25	REVIEW CASE FILE
HLL29B	0.80	\$111.56	\$89.25	11/17/2008	39	PREPARE/RESPOND TO DISCOVERY
HLL29B	0.50	\$111.56	\$55.78	12/09/2008	25	REVIEW CASE FILE
HLL29B	0.30	\$111.56	\$33.47	12/12/2008	25	REVIEW CASE FILE
HLL29B	0.30	\$111.56	\$33.47	12/19/2008	25	REVIEW CASE FILE
HLL29B	0.30	\$111.56	\$33.47	12/29/2008	39	PREPARE/RESPOND TO DISCOVERY
HLL29B	0.10	\$111.56	\$11.16	12/30/2008	25	REVIEW CASE FILE
HLL29B	0.30	\$111.56	\$33.47	12/31/2008	25	REVIEW CASE FILE
HLL29B	0.20	\$111.56	\$22.31	01/08/2009	25	REVIEW CASE FILE
HLL29B	0.30	\$111.56	\$33.47	01/08/2009	25	REVIEW CASE FILE
HLL29B	1.50	\$111.56	\$167.34	01/12/2009	25	REVIEW CASE FILE
HLL29B	1.00	\$111.56	\$111.56	01/12/2009	39	PREPARE/RESPOND TO DISCOVERY
HLL29B	0.80	\$111.56	\$89.25	01/13/2009	25	REVIEW CASE FILE
HLL29B	0.70	\$111.56	\$78.09	01/20/2009	25	REVIEW CASE FILE
HLL29B	0.80	\$111.56	\$89.25	01/20/2009	39	PREPARE/RESPOND TO DISCOVERY
HLL29B	0.20	\$111.56	\$22.31	02/04/2009	25	REVIEW CASE FILE
HLL29B	1.00	\$111.56	\$111.56	02/05/2009	25	REVIEW CASE FILE
HLL29B	1.00	\$111.56	\$111.56	02/05/2009	39	PREPARE/RESPOND TO DISCOVERY
HLL29B	0.20	\$111.56	\$22.31	02/05/2009	35	TELEPHONE CALLS
HLL29B	0.50	\$111.56	\$55.78	02/09/2009	35	TELEPHONE CALLS
HLL29B	1.00	\$111.56	\$111.56	02/09/2009	25	REVIEW CASE FILE
HLL29B	0.50	\$111.56	\$55.78	02/10/2009	39	PREPARE/RESPOND TO DISCOVERY
HLL29B	0.30	\$111.56	\$33.47	02/10/2009	35	TELEPHONE CALLS
HLL29B	0.10	\$111.56	\$11.16	02/10/2009	36	PREPARATION OR REVISION OF LETTER
HLL29B	0.20	\$111.56	\$22.31	02/10/2009	25	REVIEW CASE FILE
HLL29B	0.10	\$111.56	\$11.16	02/10/2009	37	REVIEW LETTER

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HLL29B	0.30	\$111.56	\$33.47	02/11/2009	35	TELEPHONE CALLS
HLL29B	1.00	\$111.56	\$111.56	02/11/2009	25	REVIEW CASE FILE
HLL29B	1.00	\$111.56	\$111.56	02/11/2009	39	PREPARE/RESPOND TO DISCOVERY
HLL29B	0.30	\$111.56	\$33.47	02/11/2009	36	PREPARATION OR REVISION OF LETTER
HLL29B	1.00	\$111.56	\$111.56	02/12/2009	46	LEGAL RESEARCH
HLL29B	0.50	\$111.56	\$55.78	02/25/2009	25	REVIEW CASE FILE
HLL29B	0.10	\$111.56	\$11.16	02/25/2009	35	TELEPHONE CALLS
HLL29B	0.30	\$111.56	\$33.47	02/25/2009	36	PREPARATION OR REVISION OF LETTER
HLL29B	0.30	\$111.56	\$33.47	02/26/2009	36	PREPARATION OR REVISION OF LETTER
HLL29B	0.10	\$111.56	\$11.16	02/26/2009	37	REVIEW LETTER
HLL29B	0.20	\$111.56	\$22.31	02/26/2009	35	TELEPHONE CALLS
HLL29B	0.30	\$111.56	\$33.47	02/26/2009	39	PREPARE/RESPOND TO DISCOVERY
HLL29B	0.50	\$111.56	\$55.78	02/26/2009	26	PREPARE OR REVISE MEMORANDUM
HLL29B	0.50	\$111.56	\$55.78	02/26/2009	25	REVIEW CASE FILE
HLL29B	0.70	\$111.56	\$78.09	02/27/2009	25	REVIEW CASE FILE
HLL29B	0.30	\$111.56	\$33.47	02/27/2009	36	PREPARATION OR REVISION OF LETTER
HLL29B	0.50	\$111.56	\$55.78	02/27/2009	46	LEGAL RESEARCH
HLL29B	0.10	\$111.56	\$11.16	03/02/2009	41	REVIEW PLEADING
HLL29B	0.10	\$111.56	\$11.16	03/03/2009	35	TELEPHONE CALLS
HLL29B	0.50	\$111.56	\$55.78	03/03/2009	40	PREPARATION OF OR REVISION OF A PLEADING
HLL29B	0.50	\$111.56	\$55.78	03/05/2009	40	PREPARATION OF OR REVISION OF A PLEADING
HLL29B	0.30	\$111.56	\$33.47	03/10/2009	25	REVIEW CASE FILE
HLL29B	0.20	\$111.56	\$22.31	03/11/2009	35	TELEPHONE CALLS
HLL29B	0.30	\$111.56	\$33.47	03/11/2009	25	REVIEW CASE FILE
HLL29B	0.20	\$111.56	\$22.31	03/13/2009	25	REVIEW CASE FILE
HLL29B	0.30	\$111.56	\$33.47	03/13/2009	26	PREPARE OR REVISE MEMORANDUM
HLL29B	0.30	\$111.56	\$33.47	03/16/2009	25	REVIEW CASE FILE
HLL29B	0.10	\$111.56	\$11.16	03/17/2009	25	REVIEW CASE FILE
HLL29B	0.20	\$111.56	\$22.31	03/18/2009	25	REVIEW CASE FILE
HLL29B	0.30	\$111.56	\$33.47	03/18/2009	35	TELEPHONE CALLS
HLL29B	0.30	\$111.56	\$33.47	03/18/2009	25	REVIEW CASE FILE
HLL29B	0.30	\$111.56	\$33.47	03/18/2009	64	LEGAL ADVICE/DISCUSSION - BOARD OFFICE, DEPT STAFF OR ATTY GEN OFF
HL58B	0.30	\$111.56	\$33.47	03/18/2009	64	LEGAL ADVICE/DISCUSSION - BOARD OFFICE, DEPT STAFF OR ATTY GEN OFF
HLL29B	0.50	\$111.56	\$55.78	03/20/2009	25	REVIEW CASE FILE



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HLL29B	0.50	\$111.56	\$55.78	03/20/2009	46	LEGAL RESEARCH
HLL29B	0.10	\$111.56	\$11.16	03/20/2009	36	PREPARATION OR REVISION OF LETTER
HLL29B	1.00	\$111.56	\$111.56	03/20/2009	35	TELEPHONE CALLS
HLL29B	1.00	\$114.59	\$114.59	03/23/2009	25	REVIEW CASE FILE
HLL29B	0.20	\$114.59	\$22.92	03/23/2009	35	TELEPHONE CALLS
HLL29B	0.30	\$114.59	\$34.38	03/23/2009	26	PREPARE OR REVISE MEMORANDUM
HLL29B	0.20	\$114.59	\$22.92	03/24/2009	35	TELEPHONE CALLS
HLL29B	0.40	\$114.59	\$45.84	03/25/2009	36	PREPARATION OR REVISION OF LETTER
HLL29B	0.30	\$114.59	\$34.38	03/25/2009	25	REVIEW CASE FILE
HLL29B	0.10	\$114.59	\$11.46	03/25/2009	37	REVIEW LETTER
HLL29B	0.20	\$114.59	\$22.92	03/31/2009	37	REVIEW LETTER
HLL29B	0.20	\$114.59	\$22.92	03/31/2009	25	REVIEW CASE FILE
HLL29B	0.20	\$114.59	\$22.92	04/02/2009	35	TELEPHONE CALLS
HLL29B	0.50	\$114.59	\$57.30	04/02/2009	36	PREPARATION OR REVISION OF LETTER
HLL29B	0.20	\$114.59	\$22.92	04/02/2009	25	REVIEW CASE FILE
HLL29B	0.20	\$114.59	\$22.92	04/03/2009	103	REVIEW SUPPLEMENTAL REPORT
HLL29B	0.30	\$114.59	\$34.38	04/10/2009	25	REVIEW CASE FILE
HLL29B	0.20	\$114.59	\$22.92	04/10/2009	40	PREPARATION OF OR REVISION OF A PLEADING
HLL29B	0.70	\$114.59	\$80.21	04/14/2009	40	PREPARATION OF OR REVISION OF A PLEADING
HLL29B	1.00	\$114.59	\$114.59	04/14/2009	47	TRIAL PREPARATION
HLL29B	0.80	\$114.59	\$91.67	04/14/2009	25	REVIEW CASE FILE
HLL29B	0.50	\$114.59	\$57.30	04/15/2009	40	PREPARATION OF OR REVISION OF A PLEADING
HLL29B	2.00	\$114.59	\$229.18	04/15/2009	25	REVIEW CASE FILE
HLL29B	2.00	\$114.59	\$229.18	04/15/2009	47	TRIAL PREPARATION
HLL29B	0.10	\$114.59	\$11.46	04/15/2009	35	TELEPHONE CALLS
HLL29B	0.50	\$114.59	\$57.30	04/15/2009	46	LEGAL RESEARCH
HLL29B	1.50	\$114.59	\$171.89	04/17/2009	25	REVIEW CASE FILE
HLL29B	0.30	\$114.59	\$34.38	04/17/2009	40	PREPARATION OF OR REVISION OF A PLEADING
HLL29B	0.60	\$114.59	\$68.75	04/17/2009	35	TELEPHONE CALLS
HLL29B	0.70	\$114.59	\$80.21	04/17/2009	47	TRIAL PREPARATION
HLL29B	0.10	\$114.59	\$11.46	04/17/2009	37	REVIEW LETTER
HLL29B	0.70	\$114.59	\$80.21	04/20/2009	25	REVIEW CASE FILE
HLL29B	0.80	\$114.59	\$91.67	04/20/2009	47	TRIAL PREPARATION

**Time Tracking System
Itemized Cost by Complaint**

Complaint 200433005

Report Date: 06/17/2009

Staff Code	Activity Hours	Staff Rate	Cost	Activity Date	Activity Code	Activity Description
HLL29B	0.20	\$114.59	\$22.92	04/20/2009	36	PREPARATION OR REVISION OF LETTER
HLL29B	0.10	\$114.59	\$11.46	04/20/2009	103	REVIEW SUPPLEMENTAL REPORT
HLL29B	0.50	\$114.59	\$57.30	04/21/2009	47	TRIAL PREPARATION
HLL29B	0.50	\$114.59	\$57.30	04/22/2009	47	TRIAL PREPARATION
HLL29B	0.50	\$114.59	\$57.30	04/23/2009	35	TELEPHONE CALLS
HLL29B	3.00	\$114.59	\$343.77	04/23/2009	47	TRIAL PREPARATION
HLL29B	0.50	\$114.59	\$57.30	04/23/2009	46	LEGAL RESEARCH
HLL29B	0.20	\$114.59	\$22.92	04/23/2009	37	REVIEW LETTER
HLL29B	5.00	\$114.59	\$572.95	04/26/2009	58	TRAVEL TIME
HLL29B	1.00	\$114.59	\$114.59	04/27/2009	47	TRIAL PREPARATION
HLL29B	1.50	\$114.59	\$171.89	04/27/2009	48	FORMAL HEARING
HLL29B	5.00	\$114.59	\$572.95	04/27/2009	58	TRAVEL TIME
HLL29B	0.10	\$114.59	\$11.46	04/28/2009	37	REVIEW LETTER
HLL29B	0.10	\$114.59	\$11.46	04/28/2009	35	TELEPHONE CALLS
HLL29B	0.20	\$114.59	\$22.92	04/28/2009	25	REVIEW CASE FILE
HLL29B	0.50	\$114.59	\$57.30	04/28/2009	50	REVIEW FINAL AGENCY ACTION CASES
HLL29B	0.10	\$114.59	\$11.46	04/28/2009	64	LEGAL ADVICE/DISCUSSION - BOARD OFFICE, DEPT STAFF OR ATTY GEN OFF
HLL29B	0.20	\$114.59	\$22.92	04/29/2009	25	REVIEW CASE FILE
HLL29B	0.30	\$114.59	\$34.38	04/29/2009	40	PREPARATION OF OR REVISION OF A PLEADING
HLL29B	0.10	\$114.59	\$11.46	05/01/2009	64	LEGAL ADVICE/DISCUSSION - BOARD OFFICE, DEPT STAFF OR ATTY GEN OFF
HLL29B	0.10	\$114.59	\$11.46	05/05/2009	41	REVIEW PLEADING
HLL29B	0.20	\$114.59	\$22.92	05/05/2009	25	REVIEW CASE FILE
HLL29B	0.50	\$114.59	\$57.30	05/06/2009	37	REVIEW LETTER
HLL29B	1.00	\$114.59	\$114.59	05/06/2009	25	REVIEW CASE FILE
HLL29B	0.70	\$114.59	\$80.21	05/06/2009	64	LEGAL ADVICE/DISCUSSION - BOARD OFFICE, DEPT STAFF OR ATTY GEN OFF
HLL29B	0.30	\$114.59	\$34.38	05/08/2009	25	REVIEW CASE FILE
HLL29B	0.10	\$114.59	\$11.46	05/11/2009	25	REVIEW CASE FILE
HLL29B	0.10	\$114.59	\$11.46	05/12/2009	25	REVIEW CASE FILE
HLL29B	0.10	\$114.59	\$11.46	05/12/2009	64	LEGAL ADVICE/DISCUSSION - BOARD OFFICE, DEPT STAFF OR ATTY GEN OFF
HLL29B	0.10	\$114.59	\$11.46	05/14/2009	25	REVIEW CASE FILE
HLL29B	0.30	\$114.59	\$34.38	05/15/2009	25	REVIEW CASE FILE
HLL29B	0.50	\$114.59	\$57.30	05/18/2009	25	REVIEW CASE FILE
HLL29B	1.00	\$114.59	\$114.59	05/19/2009	49	REVIEW TRANSCRIPTS AND PREPARE RECOMMENDED ORDER



Time Tracking System
Itemized Cost by Complaint

Complaint 200433005

Report Date: 06/17/2009

Staff Code	Activity Hours	Staff Rate	Cost	Activity Date	Activity Code	Activity Description
HLL29B	1.50	\$114.59	\$171.89	05/20/2009	49	REVIEW TRANSCRIPTS AND PREPARE RECOMMENDED ORDER
HLL29B	0.50	\$114.59	\$57.30	05/20/2009	25	REVIEW CASE FILE
HLL29B	0.50	\$114.59	\$57.30	05/21/2009	25	REVIEW CASE FILE
HLL29B	5.00	\$114.59	\$572.95	05/22/2009	49	REVIEW TRANSCRIPTS AND PREPARE RECOMMENDED ORDER
HLL65B	1.20	\$114.59	\$137.51	05/26/2009	49	REVIEW TRANSCRIPTS AND PREPARE RECOMMENDED ORDER
HLL29B	5.50	\$114.59	\$630.25	05/26/2009	49	REVIEW TRANSCRIPTS AND PREPARE RECOMMENDED ORDER
HLL29B	4.00	\$114.59	\$458.36	05/27/2009	49	REVIEW TRANSCRIPTS AND PREPARE RECOMMENDED ORDER
HLL29B	3.00	\$114.59	\$343.77	05/28/2009	49	REVIEW TRANSCRIPTS AND PREPARE RECOMMENDED ORDER
HLL29B	0.10	\$114.59	\$11.46	06/10/2009	25	REVIEW CASE FILE
HLL29B	0.10	\$114.59	\$11.46	06/12/2009	25	REVIEW CASE FILE
Sub Total	128.10		\$14,587.23			

Total Cost	\$15,799.48
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***** CONFIDENTIAL *****
Time Tracking System
Itemized Expense by Complaint
 Complaint 200433005

Report Date: 06/17/2009

Staff Code	Expense Date	Expense Amount	Expense Code	Expense Code Description
PROSECUTION SERVICES UNIT				
HLL29B	05/19/2009	\$356.56	131400	COURT REPORTING
HL34B	05/01/2009	\$551.25	131630	EXPERT WITNESS
HLL29B	04/24/2009	\$9.95	230000	PRINTING & REPRODUCTION
HLL29B	04/27/2009	\$646.61	261010	TRAVEL - EMLOYEE - IN FLA
HLL29B	03/24/2009	\$97.50	497000	MEDICAL RECORDS

SubTotal \$1,661.87
Total Expenses \$1,661.87