

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

**Professional Pain
Management, Inc. ,**
Petitioner,
v.
**Department of Health,
Division of Medical
Quality Assurance,**
Respondent.

PMC registration no.: 296
DOAH case no.: 11-2661

FILED
2011 NOV - 1 P 1:11
DIVISION OF
ADMINISTRATIVE
HEARINGS

FINAL ORDER

The Petitioner, Professional Pain Management, Inc., referred to herein as Professional Pain Management.

The Department of Health (hereinafter the Department) issued its "Notice of Intent to Revoke Certification of Registration"¹ number 296 held by Professional Pain Management as a pain management clinic (hereinafter PMC 296)^{2,3}. Professional Pain Management responded with its petition requesting an adjudicatory proceeding pursuant to section 120.57(1), Florida Statutes, and the petition was referred to the Division of Administrative Hearings. A formal administrative hearing having been conducted, this matter is now before the Department for consideration of the Administrative Law Judge's recommended order⁴.

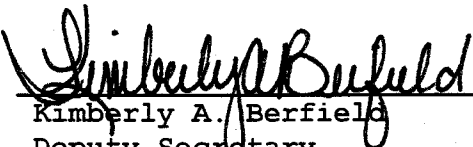
The Administrative Law Judge recommends revocation as Professional Pain Management does not comply with the physician ownership requirement of the law. See sections 458.3265 and 459.0137, Florida Statutes. I concur.

Accordingly, the Recommended Order of September 30, 2011, is adopted, and Professional Pain Management's certificate of registration number 296 is revoked.

DONE and **ORDERED** this 27 day of October 2011 in Tallahassee, Leon County, Florida.

¹ Revocation pursuant to section 458.3265(1)(f), Florida Statutes.
² Certificate of registration as a "Pain Management Clinic" pursuant to **Pain-management clinics**, sections 458.3265 or 459.0137, Florida Statutes.
³ The "Notice of Intent to Revoke Certification of Registration" is marked as exhibit B and incorporated by reference.
⁴ The Recommended Order entered on September 30, 2011, is identified as exhibit A, and is incorporated by reference.

H. Frank Farmer, Jr., MD, PhD, FACP
State Surgeon General

By: 
Kimberly A. Berfield
Deputy Secretary

NOTICE

A PARTY ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. A REVIEW PROCEEDING IS GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH A PROCEEDING IS COMMENCED BY FILING A NOTICE OF APPEAL WITH THE CLERK OF THE DEPARTMENT OF HEALTH AND A COPY ACCOMPANIED BY THE FILING FEE REQUIRED BY LAW WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES OR THE FIRST DISTRICT COURT OF APPEAL. THE NOTICE MUST BE FILED WITHIN 30 DAYS OF FILING DATE OF THIS FINAL ORDER.

Copy furnished to each of the following:

Michael S. Hoffman, Esquire
Hoffman Larin & Agnetti, PA
909 North Miami Beach Blvd.
Suite 201
Miami, Florida 33162

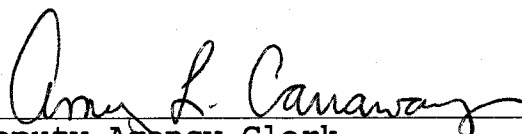
John D. C. Newton, II
Administrative Law Judge
Division of Admin. Hearings
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060

Morris Shelkofsky, Esquire
Department of Health
4052 Bald Cypress Way, bin A-02
Tallahassee, Florida 32399-1703

Lola Pouncey, Chief
Department of Health-MQA
Bureau of Operations
4052 Bald Cypress Way, bin C-10
Tallahassee, Florida 32399-3260

CERTIFICATE OF SERVICE

I CERTIFY that a copy of the foregoing FINAL ORDER has been served by ordinary mail via the United States Postal Service, inter-office mail, electronic transmission, or by hand delivery to each of the above-named persons this 31 day of October 2011.


Deputy Agency Clerk
Department of Health
4052 Bald Cypress Way, bin C-01
Tallahassee, Florida 32399-3251
phone: (850) 245-4120