

FILED DATE **FEB 12 2013**

Department of Health

By: *Angel Ruckes*  
Deputy Agency Clerk

STATE OF FLORIDA  
BOARD OF MEDICINE

DEPARTMENT OF HEALTH,

Petitioner,

vs.

DOH CASE NO.: 2010-14798  
DOAH CASE NO.: 12-1575PL  
LICENSE NO.: ME0082836

CHRISTOPHER S. CARTER, 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 2, 2013, in Jacksonville, Florida, for the purpose of considering the Administrative Law Judge's Recommended Order, Exceptions to the Recommended Order, and Response to Exceptions to the Recommended Order (copies of which are attached hereto as Exhibits A, B, and C, respectively) in the above-styled cause. Petitioner was represented by Sharmin Hibbert, Assistant General Counsel. Respondent was not present and was not 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.

DIVISION OF  
ADMINISTRATIVE  
HEARINGS

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### RULING ON EXCEPTIONS

The Board reviewed and considered the Respondent's Exceptions to the Recommended Order and ruled as follows:

1. Respondent's exception number 1 to paragraph 8 of the Recommended Order is rejected because there is competent substantial evidence in the record to support the Administrative Law Judge's findings and based upon reasons stated by the Petitioner.

2. Respondent's exception number 2 to paragraph 14 of the Recommended Order is rejected because there is competent substantial evidence in the record to support the Administrative Law Judge's findings and based upon reasons stated by the Petitioner.

3. Respondent's exception number 3 to paragraph 17 of the Recommended Order is rejected because there is competent substantial evidence in the record to support the Administrative Law Judge's findings and based upon reasons stated by the Petitioner.

4. Respondent's exception number 4 to paragraph 17 of the Recommended Order is rejected because there is competent substantial evidence in the record to support the Administrative Law Judge's findings and based upon reasons stated by the Petitioner.

### 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:

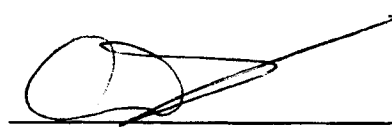
Respondent's license to practice medicine in the State of Florida is hereby REVOKED.

### RULING ON MOTION TO ASSESS COSTS

Upon Petitioner's request that the Board waive the costs associated with this matter, the Board voted to waive the costs.

DONE AND ORDERED this 11th day of February,  
2013.

BOARD OF MEDICINE



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Allison M. Dudley, J.D., Executive Director  
For James Orr, M.D., 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, 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 Certified Mail to CHRISTOPHER SCOTT CARTER, M.D., 5016 South 233<sup>rd</sup> Place, Kent, Washington 98032; and #20647-017, Federal Correctional Institute Englewood, 9595 West Quincy Avenue, Littleton, Colorado 80123; to Lisa Shearer Nelson, Administrative Law Judge, Division of

Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by interoffice delivery to Sharmin Hibbert, Department of Health, 4052 Bald Cypress Way, Bin #C-65, Tallahassee, Florida 32399-3253 this 12<sup>th</sup> day of February, 2013.

Angel Sanders

**Deputy Agency Clerk**

5016 S. 233<sup>rd</sup> A.

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FCI Englewood

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