

FILED DATE AUG 13 2013

Department of Health

By:

Deputy Agency Clerk

STATE OF FLORIDA  
**FILED** BOARD OF MEDICINE

DEPARTMENT OF HEALTH

2013 AUG 14 PM 2 21

Petitioner,

vs.

DIVISION OF  
ADMINISTRATIVE  
HEARINGS

DOH CASE NO.: 2009-09654

DOAH CASE NO.: 12-3688PL

LICENSE NO.: ME0082106

GRIGORY KLIGER, 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 August 2, 2013, in Deerfield Beach, 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 Yolanda Green, Assistant General Counsel. Respondent was not present but was represented by Mark L. Pomeranz, 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 \$10,000.00 to the Board within 30 days from the date the Final Order is filed. Said fine shall be paid by money order or cashier's check.

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

RULING ON AMENDED MOTION TO ASSESS COSTS

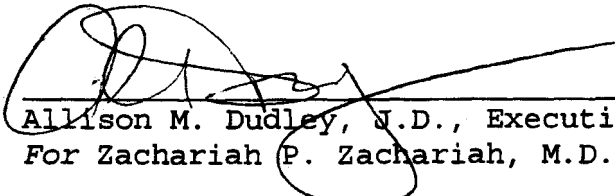
The Board reviewed the Petitioner's Amended Motion to Assess Costs and imposes the costs associated with this case in

the amount of \$4,539.82. Said costs are to be paid within 30 days from the date this Final Order is filed.

(NOTE: SEE RULE 64B8-8.0011, FLORIDA ADMINISTRATIVE CODE. UNLESS OTHERWISE SPECIFIED BY FINAL ORDER, THE RULE SETS FORTH THE REQUIREMENTS FOR PERFORMANCE OF ALL PENALTIES CONTAINED IN THIS FINAL ORDER.)

DONE AND ORDERED this 12th day of August, 2013.

BOARD OF MEDICINE

  
Allison M. Dudley, J.D., Executive Director  
For Zachariah P. Zachariah, 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 Certified Mail to GRIGORY KLIGER, M.D., 1920 E. Hallandale Beach Road, Suite 802, Hallandale Beach, Florida 33009; to Mark L. Pomeranz, Esquire,

1920 E. Hallandale Beach Road, Suite 802, Hallandale Beach,  
Florida 33009; to John G. Van Laningham, Administrative Law  
Judge, Division of Administrative Hearings, The DeSoto Building,  
1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by  
interoffice delivery to Doug Sunshine, Department of Health,  
4052 Bald Cypress Way, Bin #C-65, Tallahassee, Florida 32399-  
3253 this 13<sup>th</sup> day of August, 2013.

Brygel Sanders

**Deputy Agency Clerk**

1920 E. Hallandale Beach Rd.

7012 3050 0002 3881 4554

Mark L. Pomeranz, Esq.

7012 3050 0002 3881 4561