

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Rick Scott
Governor

John H. Armstrong, MD, FACS
State Surgeon General & Secretary

Vision: To be the Healthiest State in the Nation

August 20, 2014

The Honorable J. Lawrence Johnston
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-1550

RE: DOH vs. Harold E. Smith, M.D.
DOH Case Number: 2012-05273
DOAH Case Number: 14-550PL

Dear Judge Johnston:

Enclosed you will find a Final Order entered by the Board of Medicine in the above-referenced case.

If you have any questions about this matter, please do not hesitate to contact our office at (850) 245-4640.

Sincerely,

A handwritten signature in black ink, appearing to read "André Ourso".

André Ourso
Assistant General Counsel

AO/ks

Cc: Final Order

Florida Department of Health

Office of the General Counsel • Prosecution Services Unit
4052 Bald Cypress Way, Bin C-65 • Tallahassee, FL 32399-1701
Express mail address: 2585 Merchants Row – Suite 105
PHONE: 850/245-4444 • FAX 850/245-4684

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FILED
2014 AUG 21 PM 11 54
DIVISION OF
ADMINISTRATIVE
HEARINGS

STATE OF FLORIDA
BOARD OF MEDICINE

FILED

DEPARTMENT OF HEALTH,

Petitioner,

vs.

HAROLD EDWARD SMITH, M.D.,

Respondent.

2014 AUG 21 AM 11 54

DIVISION OF
ADMINISTRATIVE
HEARINGS

DOH CASE NO.: 2012-05273
LICENSE NO.: ME0077300

Final Order No. DOH-14-0947-S -MQA

FILED DATE - JUN 18 2014
Department of Health

By: [Signature]
Deputy Agency Clerk

FINAL ORDER

THIS CAUSE came before the BOARD OF MEDICINE (Board) on June 6, 2014, in Tampa, Florida, for the purpose of considering Respondent's offer to voluntarily relinquish his license to practice medicine in the State of Florida. (Attached hereto as Exhibit A.) Said written offer of relinquishment specifically provides that Respondent agrees never again to apply for licensure as a physician in the State of Florida.

Upon consideration of the written offer of voluntary relinquishment, the charges, and the other documents of record, and being otherwise fully advised in the premises,

IT IS HEREBY ORDERED that Respondent's Voluntary Relinquishment of his license to practice medicine in the State of Florida is hereby ACCEPTED, and shall constitute discipline upon Respondent's license.

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

DONE AND ORDERED this 17th day of June, 2014.

BOARD OF MEDICINE



Allison M. Dudley, J.D., Executive Director
For Nabil El Sanadi, M.D., Chair

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 HAROLD EDWARD SMITH, M.D., 4001 SW 13th Street, Gainesville, Florida 32608; and 501 N. Orlando Avenue, Suite 313-247, Winter Park, Florida 32789; to Juan A. Ruiz, Esquire, Rissman, Barrett, et al., 201 East Pine Street, 15th Floor, Post Office Box 4940, Orlando, Florida 32802-4940; and by interoffice delivery to Doug Sunshine, Department of Health, 4052 Bald Cypress Way, Bin #C-65, Tallahassee, Florida 32399-3253 this 18th day of June, 2014.



Deputy Agency Clerk

STATE OF FLORIDA
DEPARTMENT OF HEALTH

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK

CLERK: *Bridget Coates*

DATE MAY 05 2014

DEPARTMENT OF HEALTH,
Petitioner,

v.

DOH Case No. 2012-05273

Harold Edward Smith, M.D.,
Respondent.

VOLUNTARY RELINQUISHMENT OF LICENSE

Respondent, Harold Edward Smith, M.D., license No. ME 77300, hereby voluntarily relinquishes Respondent's license to practice medicine in the State of Florida and states as follows:

1. Respondent's purpose in executing this Voluntary Relinquishment is to avoid further administrative action with respect to this cause. Respondent understands that acceptance by the Board of Medicine (hereinafter the Board) of this Voluntary Relinquishment shall be construed as disciplinary action against Respondent's license pursuant to Section 456.072(1)(f), Florida Statutes. As with any disciplinary action, this relinquishment will be reported to the National Practitioner's Data Bank as disciplinary action. Licensing authorities in other states may impose discipline in their jurisdiction based on discipline taken in Florida.

2. Respondent agrees to never reapply for licensure as a Medical Doctor in the State of Florida.

3. Respondent agrees to voluntarily cease practicing medicine immediately upon executing this Voluntary Relinquishment. Respondent further agrees to refrain from

the practice of Medicine until such time as this Voluntary Relinquishment is presented to the Board and the Board issues a written final order in this matter.

4. In order to expedite consideration and resolution of this action by the Board in a public meeting, Respondent, being fully advised of the consequences of so doing, hereby waives the statutory privilege of confidentiality of Section 456.073(10), Florida Statutes, regarding the complaint, the investigative report of the Department of Health, and all other information obtained pursuant to the Department's investigation in the above-styled action. By signing this waiver, Respondent understands that the record and complaint become public record and remain public record and that information is immediately accessible to the public. Section 456.073(10) Florida Statutes.

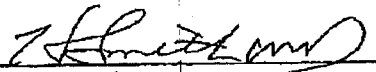
5. Upon the Board's acceptance of this Voluntary Relinquishment, Respondent agrees to waive all rights to seek judicial review of, or to otherwise challenge or contest the validity of, this Voluntary Relinquishment and of the Final Order of the Board incorporating this Voluntary Relinquishment.

6. Petitioner and Respondent hereby agree that upon the Board's acceptance of this Voluntary Relinquishment, each party shall bear its own attorney's fees and costs related to the prosecution or defense of this matter.

7. Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent in connection with the Board's consideration of this Voluntary Relinquishment. Respondent agrees that consideration of this Voluntary Relinquishment and other related materials by the Board shall not prejudice or preclude the

Board, or any of its members, from further participation, consideration, or resolution of these proceedings if the terms of this Voluntary Relinquishment are not accepted by the Board.

DATED this 3rd day of May, 2014.


Harold E. Smith, M.D.

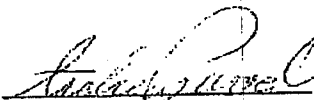
STATE OF Florida
COUNTY OF Alachua

Before me, personally appeared Harold Smith, whose identity is known to me or who produced Florida Drivers License (type of identification) and who, under oath, acknowledges that his signature appears above.

Sworn to and subscribed before me this 3 day of May, 2014.



Andrea Maria Perodi
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF019129
Expires 5/19/2017


NOTARY PUBLIC

My Commission Expires: 05/19/2017