

FILED DATE ~~DEC 09~~ 2016
Department of Health

By: Angel Saunders
Deputy Agency Clerk

STATE OF FLORIDA
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH,
BOARD OF CHIROPRACTIC MEDICINE,

Petitioner,

vs.

DOAH Case No.: 16-2313PL
DOH Case No.: 2014-08886
License No.: CH 5979

STEVEN READ, D.C.

Respondent.

FILED
2016 DEC 12 PM 1:23
DIVISION OF
ADMINISTRATIVE HEARINGS

FINAL ORDER

THIS MATTER came before the Board of Chiropractic Medicine (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on November 4, 2016, in Ft. Lauderdale, 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 Octavio Simoes-Ponce, Assistant General Counsel. Respondent was present without his counsel, Kevin Mercer, Attorney at Law.

Neither party filed exceptions to the Recommended Order.

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 to support the findings of fact.

CONCLUSIONS OF LAW

3. The Board has jurisdiction of this matter pursuant to Section 120.57(1), Florida Statutes, and Chapter 460, Florida Statutes.

4. 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 penalty recommended by the Administrative Law Judge be accepted.

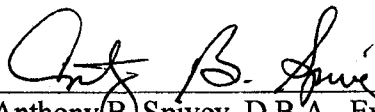
THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED that:

The Administrative Complaint is dismissed.

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

DONE AND ORDERED this 8th day of December, 2016.

BOARD OF CHIROPRACTIC MEDICINE



Anthony (B) Spivey, D.B.A., Executive Director
on behalf of Kevin Fogarty, D.C., Chair

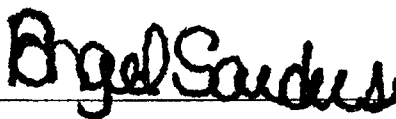
NOTICE OF RIGHT TO JUDICIAL REVIEW

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 FLORIDA APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF THE FILING DATE 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 ^{vs} U.S. Mail to: **Steven Read, D.C.**, 5367 Ortega Blvd., Jacksonville, Florida 32210 and to his counsel of record, **Kevin Mercer**, Wicker Smith, 50 Laura Street, Bank of America Tower Suite 2700, Jacksonville, Florida 32202; by electronic mail to: **Octavio Simoes-Ponce**, Assistant General Counsel, Department of Health, Prosecution Services Unit, Octavio.Simoes-Ponce@flhealth.gov; and to **Deborah Bartholow Loucks**, Office of the Attorney General, deborah.loucks@myfloridalegal.com; and by regular US Mail to **Lisa Shearer Nelson**, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060, on December 9, 2016.



Deputy Agency Clerk