

Final Order No. DOH-17-1287- *FOF*-MQA  
FILED DATE - *7.10.2017*  
Department of Health  
By: *Bridget Coates*  
Deputy Agency Clerk

STATE OF FLORIDA  
BOARD OF MEDICINE

DEPARTMENT OF HEALTH,  
Petitioner,

vs.

DOH CASE NO.: 2012-03692  
DOAH CASE NO.: 16-5752PL  
LICENSE NO.: ME0034494

LEIB H. SINGER, M.D.,  
Respondent.

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FINAL ORDER

THIS CAUSE came before the BOARD OF MEDICINE (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statute on June 9, 2017, in Orlando, 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 Allison Dudley, Assistant General Counsel. Respondent was present and represented by Richard T. Woulfe, 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.

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### RULING ON EXCEPTIONS

The Board reviewed and considered the Petitioner's Exception to Paragraph 54 of the Recommended Order and accepted the Petitioner's exception because the finding is not based on competent substantial evidence in the record.<sup>1</sup> Paragraph 54 shall be modified to read as follows:

"Dr. Paul Goldberg conducted a review of Patient J.R.R.'s pertinent medical records, including records created by Dr. Singer, and the March 2, 2010, request of Dr. Luis Cortez for an evaluation of Patient J.R.R. or the referenced there to the CT scan showing possible metastatic disease and ascites, and noting Patient J.R.R.'s `congestive heart failure and renal failure.'"

### FINDINGS OF FACT

1. The findings of fact set forth in the Recommended Order are approved and adopted and incorporated herein by reference with the modification set forth above.
2. There is competent substantial evidence to support the findings of fact as modified.

### CONCLUSIONS OF LAW

1. The Board has jurisdiction of this matter pursuant to Section 120.57(1), Florida Statutes, and Chapter 458, Florida Statutes.

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<sup>1</sup>Respondent did not object to the modification of the finding of fact in paragraph 54 but proposed substitute language that differed from that of the Petitioner.

2. The conclusions of law set forth in the Recommended Order are approved and adopted and incorporated herein by reference.

DISPOSITION

Upon a complete review of the record in this case, the Board determines that the disposition recommended by the Administrative Law Judge be ACCEPTED. WHEREFORE, IT IS HEREBY ORDERED AND ADJUDGED:

The Amended Administrative Complaint filed in this matter is hereby **DISMISSED**.

DONE AND ORDERED this 7<sup>th</sup> day of July, 2017.

BOARD OF MEDICINE

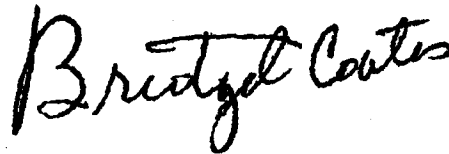
Claudia Kemp  
Claudia Kemp, J.D. Executive Director  
For Magdalena Averhoff, M.D., Chair

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 U.S. Mail to LEIB H. SINGER, M.D., 4800 NE 20<sup>th</sup> Terrace, Suite 105, Fort Lauderdale, Florida 33308; to Richard T. Woulfe, Esquire, Billing, Cochran, et al., 515 East Las Olas Boulevard, Suntrust Center, 6<sup>th</sup> Floor, Fort Lauderdale, Florida 33301; to F. Scott Boyd, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; by email to Louise Wilhite-St. Laurent, Deputy General Counsel, Department of Health, at Louise.Stlaurent@flhealth.gov; and by email to Edward A. Tellechea, Chief Assistant Attorney General, at Ed.Tellechea@myfloridalegal.com this 10<sup>th</sup> day of July, 2017.



**Deputy Agency Clerk**