

FILED DATE - **FEB 15 2021**

Department of Health

By: *Stephanie Parnell*
Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF MEDICINE

DEPARTMENT OF HEALTH,

Petitioner,

vs.

DOH CASE NO.: 2019-42259
DOAH CASE NO.: 20-2098PL
LICENSE NO.: ME0043566

SUBHASH C. GUPTA, M.D.,

Respondent.

AMENDED FINAL ORDER

THIS CAUSE came before the BOARD OF MEDICINE (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on February 5, 2021, via a duly noticed video conference meeting, 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 Amanda M. Godbey, Assistant General Counsel. Respondent was represented by Gregory Chaires, 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.

2021 FEB 18 PM 12:21
DIVISION OF
ADMINISTRATIVE HEARINGS

FILED

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.

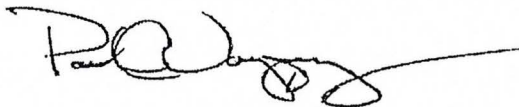
DISPOSITION

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

DONE AND ORDERED this 12th day of February , 2021.

BOARD OF MEDICINE



Paul A. Vazquez, 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 Amended Final Order has been provided by U.S. Mail to: Subhash C. Gupta, M.D., 601 E. Sample Rd, Ste. 105, Pompano Beach, FL 33064; Gregory Chaires, Esq., 283 Cranes Roost Blvd., Ste. 165, Altamonte Springs, FL 32701; Robert S. Cohen, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; by email to: Chad Dunn, Assistant General Counsel, Department of Health, at Chad.Dunn@flhealth.gov; Edward A. Tellechea, Chief Assistant Attorney General, at Ed.Tellechea@myfloridalegal.com; and Donna C. McNulty, Special Counsel, at Donna.McNulty@myfloridalegal.com this 15th day of February, 2021.


Deputy Agency Clerk