

STATE OF FLORIDA  
DEPARTMENT OF HEALTH

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DEPARTMENT OF HEALTH,

Petitioner,

v.

CASE NO.: 96-04000

DOMINICA J. PARROTT  
a/k/a DOMINICA PARROTT BRODSKY,

Respondent.

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ADMINISTRATIVE COMPLAINT

DEPARTMENT OF HEALTH, hereinafter referred to as "Petitioner", files this Administrative Complaint before the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling against DOMINICA J. PARROTT, hereinafter referred to as "Respondent", and alleges:

1. Effective July 1, 1997, Petitioner is the state agency charged with regulating the practice of Clinical Social Work pursuant to Section 20.43, Florida Statutes, Chapter 455, Florida Statutes, and Chapter 491, Florida Statutes. Pursuant to the authority of Section 20.43(3)(f), Petitioner has contracted with the Agency for Health Care Administration to provide consumer complaint, investigative, and prosecutorial services required by the Division of Medical Quality Assurance, councils, or boards as appropriate, including the issuance of emergency orders of suspension or restriction.

2. Respondent is, and has been at all times material hereto, a licensed Clinical Social Worker in the state of Florida, having been issued license number SW 0003307.

3. Respondent's last known address is 3317 North Shore Circle, Tallahassee, Florida 32312.

4. Respondent was hired by Florida Therapy Services, Inc. (F.T.S.) in June 1995 to provide counseling and therapy services for patients.

5. From about June 1, 1995 to about August 4, 1995, Respondent (as an F.T.S. employee) signed for therapy sessions in the progress notes of various patients' charts, acting as a supervisor of Mental Health Technicians, when in actuality she was being paid to directly provide therapy services herself.

6. Respondent did not provide therapy services for the aforementioned sessions she signed off on.

7. Additionally, Respondent signed therapy session patient records for times during which she would have had to have been present at two different facilities at the same time. Those facilities were approximately thirty miles apart.

8. Respondent also failed to obtain written consent from either patients or responsible family members of patients, for the group sessions she allegedly participated in with patients.

#### COUNT I

9. Based on the foregoing, Respondent has violated Section 491.009(2)(i), Florida Statutes, by willfully making or filing a false report or record. Such report or record includes only a report or record which requires the signature of a person licensed, registered, or certified under this chapter.

#### COUNT II

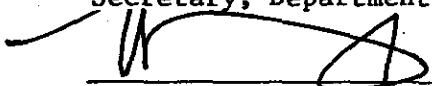
10. Petitioner realleges and incorporates by reference the allegations contained in paragraphs one (1) through eight (8) as if fully stated herein.

11. Based on the foregoing, Respondent has violated Section 491.009(2)(s), Florida Statutes, by failing to meet the minimum standards of performance in professional activities when measured against generally prevailing peer performance, including the undertaking of activities for which the licensee is not qualified by training or experience.

WHEREFORE, Petitioner respectfully requests the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling to enter an order imposing one or more of the following penalties: revocation or suspension of Respondent's license, restriction of Respondent's practice, imposition of an administrative fine, issuance of a reprimand, placement of Respondent's license on probation for a period of time and subject to terms and/or conditions, and/or any other relief which the Board deems appropriate.

Signed this 10th day of September, 1998

Robert G. Brooks, M. D.  
Secretary, Department of Health

  
By: Nancy M. Snurkowski  
Chief Attorney  
General Counsel's Office- MQA  
Allied Health

COUNSEL FOR PETITIONER:

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SB/rh

**FILED**  
DEPARTMENT OF HEALTH  
DEPUTY CLERK  
CLERK *Stephanie Q. Dixon*  
DATE 9-23-99

STATE OF FLORIDA  
DEPARTMENT OF HEALTH

**FILED**  
DEPARTMENT OF HEALTH  
DEPUTY CLERK  
CLERK *Vicki R. Kenon*  
DATE 10/9/2000

BOARD: CLINICAL SOCIAL WORK, MARRIAGE AND FAMILY  
THERAPY AND MENTAL HEALTH COUNSELING

CASE NUMBER: 96-04000

COMPLAINT MADE BY: S Z

DATE OF COMPLAINT: February 23, 1996

SUBJECT: Dominica J. Parrott, aka Dominica Parrott Brodsky, LCSW  
3317 North Shore Circle  
Tallahassee, Florida 32312

INVESTIGATED BY: H.F. Knight, Jr.  
Tallahassee, Area II

REVIEWED BY: Deborah Loucks *del*  
Senior Attorney

RECOMMENDATION: DISMISS (PL - 06)

**CLOSING ORDER**

**THE COMPLAINT:** The complaint alleges that the Subject violated Section 491.009(2)(i), Florida Statutes, by willfully making or filing a false report and Section 491.009(2)(s), Florida Statutes, by failing to meet minimum standards of professional peer performance.

**THE FACTS:** This case was initially presented to the Probable Cause Panel on September 8, 1999. The Panel found probable cause for discipline and directed that an Administrative Complaint be issued citing the alleged violations listed above.

In response to her receipt of the Administrative Complaint, the Respondent elected a formal hearing before the Division of Administrative Hearings. In review of the materials included in the Agency's investigative file and the additional information submitted by the Respondent, it is the Agency's opinion that it does not have sufficient evidence to prove the allegations by clear and convincing evidence.

The first violation alleged is that the Respondent willfully made or filed a false report. This allegation is based upon the Respondent's co-signature on group therapy notes for sessions at which she was not present. In support of the letter that she submitted to the investigator during the initial investigation, Ms. Blackshear Boyd, the Director of Nursing at the Miracle Hill Nursing Home during the time in question, attests that she had asked the Respondent to sign off on the therapy notes for the purposes of quality assurance only. There is no documentation to support that the Respondent or the nursing intended that the notes be used for any other purpose other than the one previously stated. The Respondent states (and this assertion is supported by

Ms. Blackshear Boyd) that the nursing home did not represent to any insurance company, regulatory agency or other billing organization that the Respondent provided any services at the nursing home between June 1 and August 4, 1995. Based on the corroborating attestation of Ms. Blackshear Boyd and the lack of any documentary evidence to support that the Respondent submitted these notes to any agency or organization for any purpose, the Agency would be unable to meet its burden of clear and convincing evidence on this allegation.

The second allegation relates to the failure to meet minimum standards of performance and is based upon the allegations that she provided services at approximately the same time in two separate locations and that she failed to obtain authorizations from patients to provide services. The Respondent has provided a reasonable explanation for the discrepancies in the billing; specifically, that the sessions were 45 – 50 minutes long and she used the remaining 15 to 20 minutes to travel to the second facility and that she dictated the therapy notes at a later time.

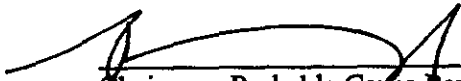
Additionally, the Agency has been unable to contact all of the witnesses needed to present its case. One of the witnesses has moved to central Florida and the Agency was unable to locate a current telephone number. Although her sister still resides in this area, the sister has not returned telephone calls from the Agency. Of the witnesses that the Agency was able to contact, there may be some credibility issues that would undermine the Agency's case.

The Agency recommends that the Panel close this case and issue a letter of guidance to the Respondent.

**THE LAW:** Based on the foregoing, there is insufficient evidence to establish a violation of Chapter 491, Florida Statutes. Therefore, this case should be DISMISSED.

It is, therefore, ORDERED that this matter be DISMISSED, and same is hereby, CLOSED.

DONE AND ORDERED this 4th day of October, 2000.

  
Chairman, Probable Cause Panel  
Board of Clinical Social Work, Marriage and  
Family Therapy and Mental Health Counseling

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