

STATE OF FLORIDA
DEPARTMENT OF HEALTH
BOARD OF CLINICAL SOCIAL WORK, MARRIAGE AND FAMILY THERAPY AND
MENTAL HEALTH COUNSELING

DEPARTMENT OF HEALTH,

PETITIONER,

vs.

CASE NUMBER: MT 2002- 08202

RUBEN ALOYO, LMFT,

RESPONDENT.



ADMINISTRATIVE COMPLAINT

COMES NOW, the Petitioner, Department of Health, hereinafter referred to as "Petitioner," and files this Administrative Complaint before the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling against RUBEN ALOYO, LMFT, hereinafter referred to as "Respondent," and alleges:

1. Effective July 1, 1997, Petitioner is the state agency charged with regulating the practice of marriage and family therapy pursuant to Section 20.43, Florida Statutes, Chapter 456, Florida Statutes, (formerly Chapter 455, Part II; see; Chapter 2000-160, Laws of Florida), and Chapter 491, Florida Statutes.
2. Respondent is, a licensed marriage and family therapist, having been issued license number MT 1264.
3. Respondent's last known address is 3218 Pine Club Drive, Plant City, Florida 33567.
4. On or about August 24, 1999 the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling entered a final order in Department

of Health Disciplinary case no.96-05998 taking disciplinary action against Respondent's license.

5. Among other things, the final order required Respondent to pay a fine and costs in the amount of \$1,434.52 within 30 days of entry of the final order.

6. Among other things, the final order placed Respondent on probation and required respondent to obtain a supervisor for his practice, as well as to submit quarterly reports.

7. Among other things, the final order required Respondent to complete three semester hours of graduate level courses in ethics of practice.

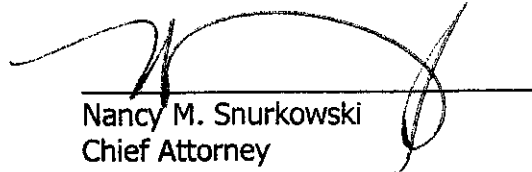
8. The Respondent has failed to comply with the terms of the final order.

9. Based on the foregoing, Respondent has violated section 491.009 (2) (u) Florida Statutes (1999) by violating a lawful order of the Board entered in a disciplinary proceeding.

WHEREFORE, Petitioner respectfully requests the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling enter an order imposing one or more of the following penalties: revocation or suspension of the Respondent's license, restriction of the Respondent's practice, imposition of an administrative fine, issuance of a reprimand, placement of the Respondent on probation, assess costs of investigation and prosecution, require corrective action and/or any other relief that the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling deems appropriate.

SIGNED this 14th day of August, 2002.

John O. Agwunobi, M.D., M.B.A.
Secretary, Department of Health



Nancy M. Snurkowski
Chief Attorney
Bureau of Health Care Practitioner
Regulation - Legal

COUNSEL FOR PETITIONER:

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FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK *Vicki R. Kenon*
DATE 8/15/02

PCP: Ackord, Shyers and Zachary
DATE: July 18, 2002

By: Victi R. Kenan
Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF CLINICAL SOCIAL WORK, MARRIAGE AND
FAMILY THERAPY AND MENTAL HEALTH COUNSELING

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No.: 2002-08202

RUBEN LUNA ALOYO,

Respondent.

FINAL ORDER

This matter appeared before the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling at a duly-noticed public meeting on October 11, 2002, in Orlando, Florida, for a hearing not involving disputed issues of material fact pursuant to Sections 120.569 and 120.57(2), Florida Statutes, pursuant to Respondent's election of rights. Petitioner has filed an Administrative Complaint seeking disciplinary action against the licensee. A copy of the Administrative Complaint is attached to and made a part of this Final Order.

FINDINGS OF FACT

Based upon the admission of the factual allegations, the Board adopts as its finding of facts paragraphs 1-8 of the Administrative Complaint.

CONCLUSIONS OF LAW

Based upon the Findings of Fact, the Board concludes the licensee has violated Section 491.009(2)(u), Florida Statutes.

The Board is empowered by Sections 491.009(2) and 456.072(2), Florida Statutes, to impose a penalty against the licensee. Therefore it is ORDERED that:

1. The Respondent shall comply with all terms of the final order entered in case no. 96-05998, unless stated otherwise below. Accordingly, said final order is hereby incorporated and made part of this final order.

2. The fine and costs outlined in paragraph six (6) of the final order in case no. 96-05998 and an additional fine in the amount \$500.00 and administrative costs in the amount of \$264.03 shall be paid to the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling and forwarded to, DOH - Client Services, P.O. Box 6320, Tallahassee, Florida 32314-6320, within twelve (12) months from the date of entry of this order. Payment shall be made by money order.

3. Respondent's term of probation as stated in paragraphs one through five (1-5) of the final order in case no. 96-05998 are hereby incorporated into this order shall be extended to two (2) years in length commencing upon approval of the licensee's monitoring supervisor by the Board or its designee. In addition, to providing the Board with the curriculum vitae and description of the proposed supervisor's practice, the licensee shall submit a written attestation from the proposed supervisor to the Board office attesting that he or she does not possess any conflict of interests that would negatively affect his or her supervision of the licensee.

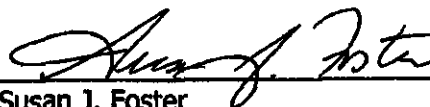
4. The licensee's probation supervisor shall be a qualified supervisor pursuant to Rules 64B4-11.007, 64B4-21.007, or 64B4-31.007, Florida Administrative Code.

5. Paragraph three (3) of the final order in case no. 96-05998 shall be amended to allow the licensee to appear before the Board with his supervisor for his first probation appearance at the July, 2003, Board meeting in Tampa, Florida.

This Final Order shall become effective upon filing with the Clerk of the Department of Health.

DONE AND ORDERED this 13th day of November, 2002.

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



Susan J. Foster
Executive Director

NOTICE OF APPEAL RIGHTS

Pursuant to Section 120.569, Florida Statutes, the parties are hereby notified that they may appeal this Final Order by filing one copy of a notice of appeal with the Clerk of the Department of Health and by filing a filing fee and one copy of a notice of appeal with the District Court of Appeal within thirty days of the date this Final Order is filed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by certified mail to: RUBIN LUNA ALOYO, 2909 Forest Club Drive, Plant City, Florida 33567; and by interoffice mail to Kathryn E. Price, Senior Attorney, Department of Health, 4052 Bald Cypress Way, Bin C-65, Tallahassee, Florida 32399-3265; and Pamela Page, Senior Attorney, Department of Health, 4052 Bald Cypress Way, Bin C-65, Tallahassee, Florida 32399-3265; and Edward A. Tellechea, Assistant Attorney General, Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050; on this 18th day of November, 2002.

