

STATE OF FLORIDA
DEPARTMENT OF PROFESSIONAL REGULATION

BOARD: Medicine
CASE NUMBER: 0074449
COMPLAINT MADE BY: [REDACTED]
DATE COMPLAINT RECEIVED: August 6, 1986
COMPLAINT MADE AGAINST: Richard B. Seely, M.D.
847-A Anchor Road Drive
Naples, Florida 33940
REVIEWED BY: Leslie Brookmeyer/tal
STAFF RECOMMENDATION: Dismiss (PL-06)

CLOSING ORDER

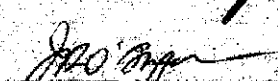
THE COMPLAINT: Complainant alleges that the Subject of the investigation is guilty of false, deceptive, or misleading advertising, in that he has improperly listed himself in the July 1986 Naples phone directory under "Marriage & Family Counselors."

THE FACTS: Investigation substantiated the allegation in that although the Subject, as a psychiatrist, can perform such marriage and family counseling, he is not allowed by law to advertise as such. The Subject has agreed to cease this type of action and has provided proof of notification to the telephone company.

THE LAW: Based on the foregoing, there is sufficient evidence to find probable cause of a violation of Section 458.331 (1)(d), Florida Statutes, has occurred. However, as Subject has agreed to cease this advertising and has notified the telephone company of the necessary change, this case will be closed by sending Subject a letter of guidance.

It is, therefore, ORDERED that this matter should be and the same is hereby dismissed.

DONE and ORDERED this 28th day of January, 1987.


CHAIRMAN, Probable Cause Panel
Board of Medicine

tal
01/14/87



Department of Professional Regulation

130 North Monroe Street
Tallahassee, Florida 32399-0750

February 17, 1987

PERSONAL AND CONFIDENTIAL

Richard B. Seely, M.D.
847-A Anchor Rode Drive
Naples, Florida 33940

RE: Case No. 0074449

Dear Dr. Seely:

Please be advised that the complaint referenced above, filed against you by William R. Westman, regarding allegations that you improperly listed yourself in the phone directory as a marriage and family counselor, has been investigated and the findings reviewed by the Probable Cause Panel of the Board of Medicine. Based upon the evidence obtained, the Panel determined there was sufficient probable cause to believe that a violation of Chapter 458, Florida Statutes, had occurred.

The Panel recommended, however, that this case be closed by issuing you this letter of guidance in lieu of formal prosecution. The Panel found probable cause to believe you had violated the following statute:


458.331 (1) (d) False, deceptive, or misleading advertising.

You violated this statute when you improperly advertised yourself as a marriage and family counselor.

In the future, I am sure that you will conduct your medical practice in full compliance with the provisions of Chapter 458, Florida Statutes. Should further such violations occur, the Department will not hesitate to seek full prosecution of them.

If you have any questions about this letter, please feel free to contact me.

Sincerely,


Leslie Brookmeyer
Senior Attorney

LB/kd