

STATE OF FLORIDA
DEPARTMENT OF PROFESSIONAL REGULATION
BOARD OF MEDICINE

DEPARTMENT OF PROFESSIONAL
REGULATION,

Petitioner,

vs.

CASE NO. 0089138

JOHN C. WOHLRABE, M.D.,

Respondent.

ADMINISTRATIVE COMPLAINT

COMES NOW the Petitioner, Department of Professional Regulation, hereinafter referred to as "Petitioner," and files this Administrative Complaint before the Board of Medicine against John C. Wohlrabe, M.D., hereinafter referred to as "Respondent," and alleges:

1. Petitioner is the state agency charged with regulating the practice of medicine pursuant to Section 20.30, Florida Statutes; Chapter 455, Florida Statutes; and Chapter 458, Florida Statutes.

2. Respondent is and has been at all times material hereto a licensed physician in the State of Florida, having been issued license number ME 0043007. Respondent's last known address is 210 Tait Terrace, Port Charlotte, Florida 33952.

3. On or about December 31, 1985, Respondent's license to practice medicine in Florida expired. Said license subsequently reverted to an inactive status, pursuant to Section 458.319(3), Florida Statutes.

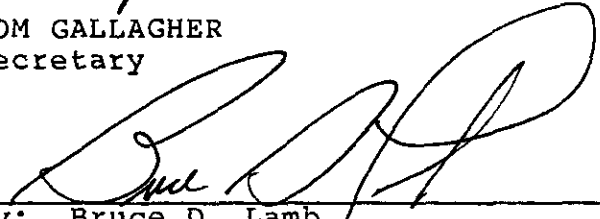
4. From January 1, 1986, until approximately November 20, 1987, Respondent continued to practice medicine in Florida with his license in said inactive status, in violation of Section 458.327(1)(a), Florida Statutes.

5. Based on the foregoing, Respondent is in violation of Section 458.331(1)(x), Florida Statutes, in that he is guilty of violating any provision of Chapter 458, a rule of the Board or Department, or a lawful order of the Board or Department previously entered in a disciplinary hearing or failing to comply with a lawfully issued subpoena of the Department.

WHEREFORE, Petitioner respectfully requests the Board of Medicine to 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, and/or any other relief that the Board deems appropriate.

SIGNED this 27th day of April, 1988.

TOM GALLAGHER
Secretary


By: Bruce D. Lamb
Chief Attorney
Medical Quality Assurance

COUNSEL FOR DEPARTMENT:

Jonathan King, Staff Attorney
Department of Professional
Regulation
130 North Monroe Street
Tallahassee, Florida 32399-0750
(904) 488-0062

FILED

Department of Professional Regulation
AGENCY CLERK

CLERK Melinda H. Wagner

DATE 4-29-88

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03/09/88
04/25/88

PCP: Ashkar, Moya, Hantman

STATE OF FLORIDA
DEPARTMENT OF PROFESSIONAL REGULATION

DEPARTMENT OF PROFESSIONAL
REGULATION,

Petitioner,

vs.

DPR CASE NO. 0089138

JOHN WOHLRABE, M.D.

Respondent.

STIPULATION

John Wohlrabe, M.D. hereinafter referred to as Respondent, and the Department of Professional Regulation, hereinafter referred to as Department, hereby stipulate and agree to the following joint Stipulation and Final Order of the Board of Medicine, hereinafter referred to as Board, incorporating this Stipulation and the agreement in the above-styled manner.

STIPULATED FACTS

1. At all times material hereto, Respondent was a licensed physician in the State of Florida having been issued license number ME 0043007.

2. Respondent was charged by an Administrative Complaint filed by the Department and properly served upon Respondent with violations of Chapter 458, Florida Statutes, and the rules enacted pursuant thereto. A true and correct copy of the Administrative Complaint is attached hereto and incorporated by reference as Exhibit A.

-3. Respondent admits, the allegations of fact contained in the Administrative Complaint attached hereto as Exhibit A.

STIPULATED CONCLUSIONS OF LAW

1. Respondent, in his capacity as a licensed physician, admits that in such capacity he is subject to the provisions of Chapters 455 and 458, Florida Statutes, and the jurisdiction of the Department and the Board.

2. Respondent admits, that the facts set forth in the foregoing Stipulated Facts constitute violations of Chapter 458, Florida Statutes, as alleged in the Administrative Complaint.

STIPULATED DISPOSITION

1. Respondent shall not in the future violate Chapters 455, 458 and 893, Florida Statutes, or the rules promulgated pursuant thereto.

2. The Board shall impose an administrative fine in the amount of \$900 against the Respondent. The fine shall be paid by the Respondent to the Executive Director of the Board within 90 days of the imposition by Final Order of the Board.

3. The Respondent shall receive a reprimand from the Board of Medicine.

4. Respondent shall appear before the Board at the meeting whereat this Stipulation is considered. Respondent, in conjunction with the consideration of this Stipulation by the Board, shall respond to questions under oath from the Board, Board Staff or Department Staff.

5. It is expressly understood that this Stipulation is subject to the approval of the Board and the Department. In this regard, paragraphs one through three of the Stipulated Facts, one and two of the Stipulated Conclusions of Law, and one through four of the Stipulated Disposition shall have no force and effect unless a Final Order is entered incorporating the terms of this Stipulation, by the Board.

6. Respondent and the Department fully understand that this joint Stipulation and subsequent Final Order incorporating same will in no way preclude additional proceedings by the Board and/or the Department against the Respondent for acts or admissions not specifically set forth in the Administrative Complaint attached as Exhibit "A" herein.

7. Upon the Board's adoption of this Stipulation, Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review of or to otherwise challenge or contest the validity of the joint Stipulation of facts, conclusions of law and imposition of discipline, and the Final Order of the Board incorporating said Stipulation.

8. Upon the Board's adoption of this Stipulation, the parties hereby agree that each party will bear his own attorney's fees and costs resulting from prosecution and/or defense of this proceeding. Respondent waives the right to seek any attorney's fees or costs from the Department in connection with this disciplinary proceeding.

SIGNED this 14 day of September, 1988.

John E. Wohlsh
(Respondent's Name)

Sworn to and subscribed
before me this ___ day
of _____, 1988.

NOTARY PUBLIC

My Commission Expires:

APPROVED this 2nd day of November, 1988.

LAWRENCE A. GONZALEZ
Secretary

Bruce D. Lamb
for By: Bruce D. Lamb
Chief Attorney
Medical Section

BL/vk

BEFORE THE BOARD OF MEDICINE Department of Professional Regulation
AGENCY CLERK

FILED

DEPARTMENT OF PROFESSIONAL
REGULATION,

Petitioner,

vs.

JOHN C. WOHLRABE, M.D.,

Respondent.

CLERK

DATE

John Cope

12-13-88

DPR CASE NO. 0089138
LICENSE NO. ME 0043007

FINAL ORDER

THIS MATTER came before the Board of Medicine (Board) pursuant to Section 120.57(3), Florida Statutes, on December 2, 1988, in Miami, Florida, for consideration of a Stipulation (attached hereto as Exhibit A) entered into between the parties in the above-styled case. Upon consideration of the Stipulation, the documents submitted in support thereof, the arguments of the parties, and being otherwise advised in the premises,

IT IS HEREBY ORDERED AND ADJUDGED that the Stipulation as submitted be and is hereby approved and adopted in toto and incorporated by reference herein. Accordingly, the parties shall adhere to and abide by all of the terms and conditions of the Stipulation.

This Order takes effect upon filing with the Clerk of the Department.

DONE AND ORDERED this 2nd day of December, 1988.

BOARD OF MEDICINE

Emilio D. Echevarria
EMILIO D. ECHEVARRIA, M.D.
CHAIRMAN

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by certified mail to John C. Wohlrabe, M.D., 10336 Berkshire Road, Bloomington, Minnesota 55437 and Wilson Jerry Foster, Attorney at Law, 227 East Virginia Street, Tallahassee, Florida 32301 and by interoffice delivery to Jonathan King, Attorney at Law, Department of Professional Regulation, 130 North Monroe Street, Tallahassee, Florida 32399-0750, at or before 5:00 P.M., this 15th day of December, 1988.

Anthony J. Faircloth

AOG/Wohlrabe