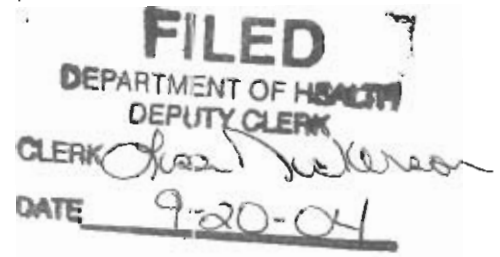


**STATE OF FLORIDA
DEPARTMENT OF HEALTH**



BOARD: Medicine

CASE NUMBER: 2003-05556

COMPLAINT MADE BY: Diane Ridley
Regional Claims Supervisor
Albertson's Inc
701 International Parkway, Ste.100
Lake Mary, FL 32746

DATE OF COMPLAINT: October 21, 2003

SUBJECT: May Eliza Montrichard, M.D.
1216 NW 22nd Avenue
Gainesville, FL 32609

SUBJECT'S ATTORNEY: N/A

INVESTIGATED BY: J.A. Lammert, Tallahassee

REVIEWED BY: J. Blake Hunter
Assistant Attorney General

RECOMMENDATION: Dismiss (4099) Other

CLOSING ORDER ON RECONSIDERATION

THE COMPLAINT: The Complainant alleged Subject violated Section 458.331(1)(g), Florida Statutes, by failing to perform any statutory or legal obligation placed upon a licensee, specifically by failing to furnish in a timely manner copies of medical records and Section 458.331(1)(nn), Florida Statutes, by requiring payment by the requesting party of more than the maximum reasonable costs to reproduce medical records.

THE FACTS: An Administrative Complaint was filed against the Subject alleging that the Subject failed to furnish medical records in a timely manner and required payment by the requesting party of more than the maximum reasonable costs to reproduce medical records for Patient M.C.

Subject is requesting an opportunity to waive the six-month requirement and a citation be issued for the offenses. Subject has agreed to reimburse Albertson's, Inc. for the excessive copying fees.

Rule 64B8-8.017(3), F.A.C., designates the following offense as the type that can be disposed of by citation: failure to timely provide records. Subject has agreed to a citation to be issued for \$500.00, and to pay reimbursement of excessive copying charges, and to pay the costs of the investigation.¹

Subject has been licensed in Florida since 1997 and has no prior discipline.


Subject has waived the six (6) month requirement for the Department to issue citations under Section 456.077, F.S., and has agreed to accept a citation for the offense, to refund the excess copy charge, and to pay the fine and costs of the investigation. Under this particular set of facts, it is the Department's recommendation that the probable cause panel dismiss the administrative complaint and direct the Department to issue a citation to the Subject.

THE LAW: There is sufficient evidence to establish that Subject violated Section 458.331(1)(g), F.S., by failing to timely provide records. However, this violation is designated as a citation offense by the Board. Therefore, the administrative complaint shall be dismissed and a citation will be issued to the Subject.

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

¹ \$500 (failure to provide records & excessive copying charges) + \$473.76 (costs) + provide proof of reimburse of \$63.75 to Albertson's, Inc.

DONE AND ORDERED this 10th day of September, 2004.



Chairperson, Probable Cause Panel
Board of Medicine

PCP: September 10, 2004

JBH/sdw