

A-08

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NO. 2009-16230

DOUGLAS M. LANES, M.D.,

RESPONDENT,

_____ /

ADMINISTRATIVE COMPLAINT

3/29/10

COMES NOW, Petitioner, the Department of Health, by and through its undersigned counsel, and files this Administrative Complaint before the Board of Medicine against Respondent, Douglas M. Lanes, M.D., and in support thereof alleges:

1. Petitioner is the state department charged with regulating the practice of medicine pursuant to Section 20.43, Florida Statutes; Chapter 456, Florida Statutes; and Chapter 458, Florida Statutes.

2. At all times material to this Complaint, Respondent was a licensed Medical Doctor in the State of Florida having been issued license number ME 77396.

3. Respondent's address of record is 3700 Washington Street, Suite 304, Hollywood, Florida 33021.

4. Respondent is board certified by the American Board of Psychiatry and Neurology in Psychiatry.
5. On or about June 4, 2009, the Florida Agency for Healthcare Administration (AHCA) issued a final agency action letter imposing sanctions on Respondent for failing to pay an outstanding debt owed to the agency regarding a Medicaid Payment pursuant to Section 409.913, Florida Statutes.
6. Respondent did fail to pay the outstanding debt owed to AHCA regarding Medicaid Payment. As of February 4, 2010, Respondent still has not satisfied the debt.
7. Respondent also failed to either submit payment for this sanction or respond to correspondence from AHCA.
8. On or about August 26, 2009, AHCA issued a Final Order in Case No.: CI 09-8896-000, terminating Respondent's participation in the Medicaid program for the above mentioned failure to pay an outstanding debt owed to the agency.
9. As of February 3, 2010, Respondent has still not paid the outstanding debt owed to the agency or had his participation restored in the Medicaid program.

10. Section 456.072(1)(kk), Florida Statutes (2009), provides that being terminated from the state Medicaid program pursuant to Section 409.913, Florida Statutes (2009), any other state Medicaid program, or the federal Medicare program, unless eligibility to participate in the program from which the practitioner was terminated has been restored, is grounds for disciplinary action by the board and/or department.

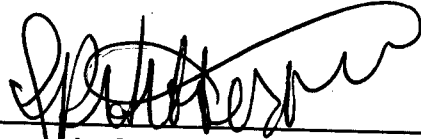
11. Respondent was terminated from the Medicaid program for failure to pay an outstanding debt that was owed to the agency relating to Medicaid payment, pursuant to Section 409.913, Florida Statutes (2009). The Final Order was filed by the agency on or about August 26, 2009.

12. Based on the foregoing the Respondent has violated Section 456.072(1)(kk), Florida Statutes (2009), by being terminated from the Medicaid program pursuant to Section 409.913, Florida Statutes (2009).

WHEREFORE, the Petitioner respectfully requests that the Board of Medicine enter an order imposing one or more of the following penalties: permanent revocation or suspension of Respondent's license, restriction of practice, imposition of an administrative fine, issuance of a reprimand, placement of the Respondent on probation, corrective action, refund of fees billed or collected, remedial education and/or any other relief that the Board deems appropriate.

SIGNED this 26 day of March, 2010.

Ana M. Viamonte Ros, M.D., M.P.H.
State Surgeon General



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CLERK *Angela Barton*
DATE 03/29/2010

PCP: March 26, 2010
PCP Members: El-Bahri, J. Rosenberg, Mullins

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NOTICE OF RIGHTS

Respondent has the right to request a hearing to be conducted in accordance with Section 120.569 and 120.57, Florida Statutes, to be represented by counsel or other qualified representative, to present evidence and argument, to call and cross-examine witnesses and to have subpoena and subpoena duces tecum issued on his or her behalf if a hearing is requested.

NOTICE REGARDING ASSESSMENT OF COSTS

Respondent is placed on notice that Petitioner has incurred costs related to the investigation and prosecution of this matter. Pursuant to Section 456.072(4), Florida Statutes, the Board shall assess costs related to the investigation and prosecution of a disciplinary matter, which may include attorney hours and costs, on the Respondent in addition to any other discipline imposed.