

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NO. 2010-15794

RAUL J. RODRIGUEZ SORA, M.D.,

RESPONDENT.

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ADMINISTRATIVE COMPLAINT

Petitioner, Department of Health, by and through its undersigned counsel, hereby files this Administrative Complaint before the Board of Medicine against Respondent, Raul J. Rodriguez Sora, 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 physician within the state of Florida, having been issued license number ME 49587.

3. Respondent's address of record is: 5700 East Pima Street, Suite I, Tucson, Arizona 85712. The Department's investigator determined that Respondent has the following additional address: 7326 E. Sabino Terrace Place, Tucson, Arizona 85750.

4. At all times material to this Complaint, Respondent was board certified in Psychiatry by the American Board of Psychiatry and Neurology.

5. The Arizona Board of Medical Examiners ("Arizona Board") is the licensing authority regulating the practice of medicine in the State of Arizona.

6. On or about July 22, 2010, the Arizona Board issued an Interim Consent Agreement in Case Number MD-10-0627A (Consent Agreement) after Respondent admitted that he had practiced medicine in Arizona and had consumed alcohol, after being prohibited from doing so under a previous disciplinary action of the Arizona Board.

7. Under the Consent Agreement, Respondent is prohibited from practicing "clinical medicine or any medicine involving direct patient care, and is prohibited from prescribing any form of treatment including prescription medications, until Respondent applies to the Board and receives permission to do so." The Consent Agreement recites that it is an

interim order and is not a final decision pending additional investigation and consideration by the Board.

8. The July 22, 2010, Consent Agreement entered by the Arizona Board constitutes action against Respondent's license to practice medicine.

9. Respondent failed to notify the Florida Board of Medicine in writing, within 30 days, of the disciplinary action that the Arizona Board took against his license on or about July 22, 2010.

COUNT I

10. Petitioner re-alleges and incorporates by reference Paragraphs 1 through 6 and 8, as if fully set forth herein.

11. Section 458.331(1)(b), Florida Statutes (2010), sets forth the grounds for disciplinary action by the Board of Medicine and provides that having a license or the authority to practice medicine revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another jurisdiction constitutes grounds for discipline. This Section further provides that a licensing authority's acceptance of a physician's relinquishment of license, stipulation, consent order, or other settlement, offered in response to or in anticipation of the filing of an administrative action against the physician's license, shall be construed as action against the physician's license.

12. The Arizona Board acted against Respondent's Arizona medical license on or about July 22, 2010, by entering the above-referenced order.

13. Based on the foregoing, Respondent has violated Section 458.331(1)(b), Florida Statutes (2010), by having his license acted against by the licensing authority of Arizona.

COUNT TWO

14. Petitioner re-alleges and incorporates by reference Paragraphs 1 through 6 and 9, as if fully set forth herein.

15. Section 458.331(1)(kk), Florida Statutes (2010), provides that failing to report to the Board of Medicine, in writing within 30 days, when action, as defined in Section 458.331(1)(b), Florida Statutes, is taken against one's license to practice as a physician in another state, territory or country, constitutes grounds for discipline by the Florida Board of Medicine.

16. Respondent failed to report, in writing, the July 22, 2010, disciplinary action taken against his license by the Arizona Board, to the Florida Board of Medicine within 30 days of such action.

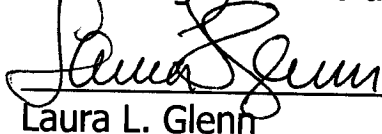
17. Based on the foregoing, Respondent has violated Section 458.331(1)(kk), Florida Statutes (2010), by failing to timely report to the Florida Board of Medicine, in writing, within 30 days, that the Arizona

Board took disciplinary action against his medical license on or about the July 22, 2010.

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 23rd day of June 2011.

H. Frank Farmer, Jr., M.D., Ph.D.
State Surgeon General



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CLERK *Sandra Soto*
DATE JUN 24 2011

LLG:

PCP: June 23, 2011

PCP Members: Leon, Orr & Goersch

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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.