

**STATE OF FLORIDA  
DEPARTMENT OF HEALTH**

**DEPARTMENT OF HEALTH,**

**PETITIONER,**

**v.**

**CASE NO. 2013-08684**

**PATRICIA LYNN HOUGH, 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, Patricia Lynn Hough, 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 93720.

3. Respondent's address of record is 1435 East Venice Ave., #104-159, Venice, FL 34292. Respondent's last known address is 7590 Manasota Key Road, Englewood, FL 34223.

4. The Medical Examining Board of Wisconsin (Wisconsin Board) is the licensing authority regulating the practice of medicine in the State of Wisconsin.

5. On or about December 11, 2013, the Wisconsin Board entered a Final Decision and Order (Order) adopting the Stipulation entered into by Respondent and the Wisconsin Board, accepting the surrender of the license and registration by Respondent to practice medicine and surgery in the State of Wisconsin.

6. The December 11, 2013, Order entered by the Wisconsin Board constitutes action against Respondent's license to practice medicine.

7. On May 15, 2013, in the federal case 2:13-cr-72-FtM-99SPC, Respondent was indicted for one Count for conspiracy as defined in 18 U.S.C. §371, which provides that if two or more persons conspire either to commit any offense against the United States, or to defraud the United States, or any agency thereof in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy,

each shall be fined under this title or imprisoned not more than five years, or both.

8. Respondent was also charged in Counts 6, 7, 8 and 9 with violating 26 U.S.C. §7206(1)B by filing a false income tax return for the years of 2005, 2006, 2007, and 2008.

9. She was subsequently found guilty by a jury of all charges; however, upon proper motion, the Judge dismissed the jury verdict on Count 7 regarding filing a false tax return for 2006.

10. On or about May 9, 2014, Respondent was sentenced to twenty-four (24) months of imprisonment, three (3) years of supervised release, to pay the cost of the prosecution in the amount of \$42,732.27, and to pay restitution in the amount of \$15,518.382.00.

11. The Respondent was convicted by a jury and was adjudicated guilty of the violations set forth in Counts 1, 6, 8, and 9, as described above. Those crimes, as stated, are crimes that relate to the ability to practice medicine. The qualities essential to the practice of medicine include reliability, honesty, and good moral character. The crimes for which the Respondent was convicted and was adjudicated guilty demonstrate that the Respondent lacks these essential qualities. By demonstrating that the Respondent lacks these essential qualities, the Respondent's crime

relates to her ability to practice medicine by showing that she is not worthy to be entrusted with the privileges and authority vested in those who are licensed to practice medicine.

12. Respondent's crimes directly relate to her ability to practice medicine because they are crimes that evidence a lack of good moral character, honesty, integrity, judgment, and a willingness to abide by the law. It is inconsequential whether the crimes arose out of Respondent's technical ability, because they show Respondent's warped judgment by engaging in conspiracy to defraud the United States government, by filing a false income tax return as charged, and by concealing her true and correct income, all crimes of moral turpitude.

#### COUNT ONE

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

14. Section 458.331(1)(b), Florida Statutes (2013), 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.

15. The Wisconsin Board took action against Respondent's Wisconsin license on December 11, 2013.

16. Based on the foregoing Respondent has violated Section 458.331(1)(b), Florida Statutes (2013), by having her license acted against by the licensing authority of Wisconsin.

COUNT TWO

17. Petitioner re-alleges and incorporates by reference Paragraphs 1 through 3 and 7 through 12, as if fully set forth herein.

18. Section 458.331(1)(c), Florida Statutes (2013), provides that being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of medicine or to the ability to practice medicine constitutes grounds for discipline by the Florida Board of Medicine.

19. As set forth above, Respondent was found guilty by a jury on October 24, 2013, of violating Counts 1, 6, 8, and 9, as charged in the Indictment filed on May 15, 2013, Count 7 having been dismissed by the Judge.

20. Based on the foregoing, Respondent has violated Section 458.331(1)(c), Florida Statutes (2013), by being convicted or found guilty of crimes that directly relate to her ability to practice medicine.

COUNT THREE [ALTERNATIVELY]

21. Petitioner re-alleges and incorporates by reference Paragraphs 1 through 3 and 7 through 11, as if fully set forth herein.

22. Section 456.072(1)(c), Florida Statutes (2013), provides that being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the practice or to the ability to practice, a licensee's profession.

23. As set forth above, Respondent was found guilty by a jury on October 24, 2013, of violating Counts 1, 6, 8, and 9, as charged in the Indictment filed on May 15, 2013, Count 7 having been dismissed by the Judge.


24. Based on the foregoing, Respondent has violated Section 456.072(1)(c), Florida Statutes (2013), by being convicted or found guilty of crimes that relate to her ability to practice her profession.

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 12<sup>th</sup> day of September, 2014.

John H. Armstrong, MD, FACS  
State Surgeon General & Secretary  
of Health, State of Florida



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DEPARTMENT OF HEALTH  
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CLERK Angel Sanders  
DATE **SEP 15 2014**

DKK  
PCP: September 12, 2014  
PCP Members: Dr. Avila, Dr. Lage, Ms. Di Pietro

## **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.**