

STATE OF FLORIDA
DEPARTMENT OF PROFESSIONAL REGULATION
BOARD OF MEDICAL EXAMINERS

DEPARTMENT OF PROFESSIONAL
REGULATION,

Petitioner,

vs.

CASE NUMBER: 0058788

JAMES M. PARSONS, M.D.,

Respondent.

ADMINISTRATIVE COMPLAINT

COMES NOW the Petitioner, the Department of Professional Regulation, hereinafter referred to as the "Petitioner", and files this Administrative Complaint before the Board of Medical Examiners, against JAMES M. PARSONS, M.D., hereinafter referred to as the "Respondent", and alleges:

1. Petitioner, the Department of Professional Regulation, 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 0011794. Respondent's last known address is Alpha Medical Clinic, 4595 North Harbor City Boulevard, Melbourne, Florida 32935.

3. Between on or about January 15, 1985, and January 23, 1985, Respondent was the treating physician for a patient R A . During the time period mentioned previously, Respondent diagnosed patient A as suffering from "B-12 deficiency", "immune stress", "glandular imbalance", "amino acid imbalance" and "possible infection".

4. Respondent failed to obtain an appropriate history, perform a physical examination or obtain laboratory tests to

substantiate any of the diagnoses listed above.

5. Respondent's treatment of patient A included many over-the-counter dietary supplements, "pitglan whole", "GH3 liquid", "hyogest", "thyroforte" and "thyroid 1 grain", to be taken one grain daily.

6. Although Respondent's treatment of patient A included thyroid tablets, there was no history, physical findings, laboratory results or recorded diagnosis of hypothyroidism or thyroid dysfunction.

7. Respondent failed to maintain medical records to justify his treatment of patient A

8. Respondent failed to practice medicine with that level of care, skill and treatment which is recognized by a reasonably prudent similar physician as acceptable under similar conditions and circumstances, in his treatment of patient A

COUNT ONE

9. Petitioner realleges paragraphs 1 through 8 above as if fully set forth herein this Count One.

10. Based on the foregoing allegations, Respondent violated Section 458.331(1)(n), Florida Statutes, by failing to keep written medical records, justifying the course of treatment of the patient, including but not limited to, patient histories, examination results and test results.

COUNT TWO

11. Petitioner realleges paragraphs 1 through 8 above as if fully set forth herein this Count Two.

12. Based on the foregoing allegations, Respondent violated Section 458.331(1)(t), Florida Statutes, by gross or repeated malpractice or the failure to practice medicine with that level of care, skill and treatment which is recognized by a reasonably prudent similar physician as being acceptable under similar conditions and circumstances.

WHEREFORE, the Petitioner respectfully requests that the Board of Medical Examiners 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 22 day of July, 1986.

Fred Roche
FRED ROCHE, Secretary
Department of Professional
Regulation

COUNSEL FOR DEPARTMENT:

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SAD/bg
06/30/86

PCP/ 07/17/86
Echevarria & Lutz

FILED

DEPARTMENT OF PROFESSIONAL REGULATION

Melinda H. Wagner
CLERK

DATE July 24, 1986

STATE OF FLORIDA
DEPARTMENT OF PROFESSIONAL REGULATION

BOARD: Medicine
CASE NUMBER: 0058788
COMPLAINT MADE BY: R A
DATE COMPLAINT RECEIVED: July 5, 1985
COMPLAINT MADE AGAINST: James M. Parsons, M.D.
Alpha Medical Center
4595 North Harbor Boulevard
Melbourne, Florida 32935
REVIEWED BY: Leslie Brookmeyer/tal
STAFF RECOMMENDATION: Dismiss (PL-99)

CLOSING ORDER

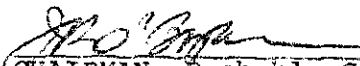
THE COMPLAINT: Initially, Complainant alleged that the Subject of the investigation aided, assisted, procured, or advised an unlicensed person to practice medicine, in that Complainant was charged for psychotherapy by an individual at Subject's facility who was not licensed.

THE FACTS: At its July 1986 meeting, the Probable Cause Panel determined that probable cause existed to believe that Subject failed to maintain medical records to justify his treatment of Complainant and that Subject failed to practice medicine with that level of care, skill and treatment which is recognized by a reasonably prudent similar physician as being acceptable under similar conditions and circumstances in his treatment of Complainant. However, during the discovery process, subsequent information was obtained and presented to the Department's consulting physician, thereby changing to consultant's opinion. It is now the opinion of the Department's consultant that Subject did not fail to practice medicine without the level of care, skill and treatment which would be recognized by a reasonably prudent similar physician as being acceptable under similar conditions and circumstances.

THE LAW: Based on the foregoing, there is insufficient probable cause to believe that an actionable violation of Chapter 458, Florida Statutes, or the rules promulgated thereunder had occurred.

It is, therefore, ORDERED that this matter should be, and the same is hereby dismissed.

DONE and ORDERED this 28th day of January, 1987.


CHAIRMAN, Probable Cause Panel
Board of Medicine

LB/tal/jd