

BEFORE THE BOARD OF MEDICINE

Department of Professional Regulation

FILED

AGENCY CLERK

CLERK *Melinda Hill*

DATE 6/19/87

DEPARTMENT OF PROFESSIONAL  
REGULATION,

Petitioner,

vs.

HECTOR R. CORZO, M.D.,

DPR CASE NO. 0071148

LICENSE NO. ME 0035773

Respondent.

FINAL ORDER

THIS MATTER came before the Board of Medicine (Board) pursuant to Section 120.57(3), Florida Statutes, on June 5, 1987, in Tallahassee, Florida, for consideration of a Stipulation (attached hereto as Exhibit A) entered into between the parties in the above-styled case. Upon consideration of the Stipulation, the documents submitted in support thereof, the arguments of the parties, and being otherwise advised in the premises, the Board rejected the Stipulation proposed and offered an amendment at the hearing, which amendment was accepted without objection by the parties.

IT IS HEREBY ORDERED AND ADJUDGED that the Stipulation as submitted be and is hereby approved and adopted in toto and incorporated by reference herein with the following changes:

1. Pursuant to Paragraph 4 of the Stipulated Disposition, the term of probation shall be one year.
2. The following term and condition shall be included in paragraph 4:

If Respondent resides or practices outside the State of Florida continuously for thirty (30) or more days, such time shall not be counted as part of the probationary period. He must immediately notify the Board at the time he leaves the state and when he returns to the state and must keep current residence and business addresses on file with the Board.

Accordingly, the parties shall adhere to and abide by the terms and conditions of the Stipulation as amended.

This Order takes effect upon filing.

DONE AND ORDERED this 16 day of June, 1987.

BOARD OF MEDICINE

  
WILLIAM F. BRUNNER, M.D.  
ACTING CHAIRMAN

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by certified mail to Hector R. Corzo, M.D., 12775 Seminole Boulevard, Largo, Florida 33544 and W.G. Bostick, Jr., Esquire, 11290 78th Avenue North, Suite 200, Seminole, Florida 33542 and by interoffice delivery to Leslie Brookmeyer, Esquire, Department of Professional Regulation, 130 North Monroe Street, Tallahassee, Florida 32399-0750, at or before 5:00 P.M., this 19 day of June, 1987.

  
Dorothy J. Faircloth  
Executive Director

STATE OF FLORIDA  
DEPARTMENT OF PROFESSIONAL REGULATION  
DEPARTMENT OF PROFESSIONAL  
REGULATION,

Petitioner,

DPR CASE NO. 0071148

vs.

HECTOR R. CORZO, M.D.,

Respondent.

STIPULATION

Hector R. Corzo, M.D., hereinafter referred to as "Respondent", and the Department of Professional Regulation, hereinafter referred to as "Department", hereby stipulate and agree to the following joint Stipulation and Final Order of the Board of Medicine, hereinafter referred to as "Board", incorporating this Stipulation and agreement in the above-styled manner.

STIPULATED FACTS

1. For all times pertinent herein Respondent was a licensed medical doctor in the State of Florida, having been issued license number ME 0035773.
2. Respondent was charged by an Administrative Complaint filed by the Department and properly served upon Respondent with violations of Chapter 458, Florida Statutes, and the rules enacted pursuant thereto. A true and correct copy of the Administrative Complaint is attached hereto and made a part hereof by reference thereto as Exhibit A.
3. Respondent admits the matters of fact alleged in the Administrative Complaint attached hereto as Exhibit A.
4. Petitioner voluntarily dismisses the allegations contained in Counts II, III, IV & V of the Administrative Complaint filed against Respondent.

STIPULATED CONCLUSIONS OF LAW

1. Respondent, in his capacity as a licensed medical doctor, admits that in such capacity he is subject to the provisions of Chapter 455 and 458, Florida Statutes, and the jurisdiction of the Department and the Board.

2. Respondent admits that the facts set forth in the foregoing Stipulated Facts constitute violations of Chapter 458, Florida Statutes as alleged in Count I of the Administrative Complaint.

STIPULATED DISPOSITION

1. Respondent shall not in the future violate Chapters 455, 458, or 893, Florida Statutes, or the rules promulgated pursuant thereto or any other state or federal law.

2. Respondent is hereby reprimanded.

3. The Respondent shall pay a fine of \$1,000.00, which shall be paid by the Respondent to the Executive Director of the Board of Medicine within sixty (60) days of the filing of the Board's Final Order in this cause.

4. Respondent's license shall be placed on probation for a period of up to one (1) year, subject to the following terms of probation:

a. Respondent shall not violate the provisions of Chapters 455, 458, or 893, Florida Statutes.

b. Respondent shall submit semi-annual reports to the board by affidavit (the contents of which are sworn and subscribed to, by Respondent before a notary public as being true and correct) summarizing his practice activities. Such reports shall contain the following:

1) Current practice address.

2) Current practice setting(s).

3) Prescribing activities.

4) Hospital admitting activities.

5) Direct response to the specific violations which resulted in the licensee being placed on probation.

6) Specific statement addressing compliance with all other terms and conditions of the Final Order placing the licensee on probation, together with required supporting documentation, such as CME certificates.

c. Respondent will appear before the Board at their first meeting after he is placed on probation, the last meeting before his probation terminates and at

such other times as directed by the Board and shall answer questions, under oath, as posed to him by the Board members, counsel for the Board, and counsel for Petitioner.

d. Respondent understands that during his period of probation, semi-annual investigative reports will be compiled by the Department concerning his compliance with the terms and conditions of probation and the rules and statutes regulating the practice of medicine. Respondent hereby waives confidentiality with regard to these reports as to the Board only, thus permitting the Board to review the investigative reports notwithstanding any statutory or rule provisions to the contrary. Respondent agrees to pay all reasonable costs of compiling and preparing these investigative reports, including the time spent by investigators to gather necessary information for said reports.

5. Respondent agrees to abide by all terms and conditions of this Stipulation.. It is expressly understood that a violation of the terms of this Stipulation shall be considered a violation of Chapter 458, Florida Statutes, for which disciplinary action may be initiated.

6. Respondent shall be present at the time of the Board's consideration of this Stipulation and shall, under oath, answer any questions posed by Board Members, counsel for the Board and counsel for Petitioner.

7. It is expressly understood that this Stipulation is subject to approval of the Board and the Department and has no force and effect unless an order adopting it is entered by the Board.

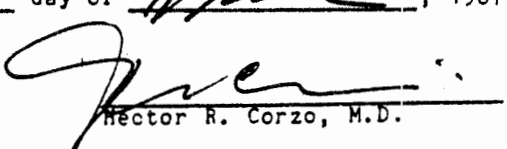
8. This Stipulation is executed by the Respondent for the purpose of avoiding further administrative action with respect to this cause. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent prior to or in conjunction with consideration of the

Stipulation. Furthermore, should this joint Stipulation not be accepted by the Board, it is agreed that presentation to and consideration of this Stipulation and other documents and matters by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of these proceedings. In the event that the Board fails to approve this joint Stipulation and a proceeding pursuant to Section 120.57, Florida Statutes, is held resulting in a finding that Respondent is guilty of the alleged charges, Respondent hereby waives any defense to entry of a Final Order by the Board based upon the Board's consideration of this joint Stipulation.

9. Respondent and the Department fully understand that this joint Stipulation and subsequent Final Order incorporating same will in no way preclude additional proceedings by the Board and/or the Department against the Respondent for acts or omissions not specifically set forth in the Administrative Complaint attached as Exhibit A, issued in this cause.

10. Upon the Board's adoption of this Stipulation, Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review of or to otherwise challenge or contest the validity of the joint Stipulation of facts, conclusions of law and imposition of discipline, and the Final Order of the Board incorporating said Stipulation.

SIGNED this 17 day of April, 1987.

  
Hector R. Corzo, M.D.

Sworn to and subscribed  
before me this 17 day  
of April, 1987.

  
NOTARY PUBLIC

My Commission Expires:

May 11  
MAY 22 1988

APPROVED this 29 day of April, 1987.

Van B. Poole  
VAN B. POOLE, Secretary

LB/mk  
02/19/87

STATE OF FLORIDA  
DEPARTMENT OF PROFESSIONAL REGULATION  
BOARD OF MEDICINE

DEPARTMENT OF PROFESSIONAL  
REGULATION,

Petitioner,

vs.

CASE NUMBER: 0071148

HECTOR R. CORZO, 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 Medicine, against HECTOR R. CORZO, 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 0035773. Respondent's last known address is 12775 Seminole Boulevard, Largo, Florida 33544.
3. Between on or about March, 1985, and on or about May, 1985, Respondent was the treating physician for patient P.T. Patient P.T. gave a history of drug addiction to Dilaudid and requested detoxification treatment from the Respondent.
4. During the treatment period named above, Respondent rendered detoxification treatment to patient P.T. Accordingly, Respondent issued prescriptions to patient P.T. for Dilaudid for detoxification purposes.
5. Dilaudid is the brand name for hydromorphone, which is a scheduled controlled substance pursuant to Chapter 893, Florida



Statutes. Furthermore, Dilaudid is a narcotic drug.

6. At all times material hereto, Respondent did not have the proper registration from the Federal Drug Enforcement Administration to run a narcotic treatment program, as required by Title 21 C.F.R. Section 1301.22.

7. Respondent inappropriately and/or excessively prescribed Dilaudid to patient P.T. during the above-mentioned treatment period. Furthermore, the prescriptions were not issued for a medically justifiable purpose.

8. Respondent failed to keep written medical records justifying the course of treatment of patient P.T. including, but not limited to, patient histories, examination results and test results.

9. In rendering detoxification treatment to patient P.T., including the prescribing of Dilaudid to the patient, Respondent practiced beyond the scope permitted by law. Furthermore, Respondent accepted and performed professional responsibilities which the Respondent knew or had reason to know that he was not competent to perform.

10. In regards to patient P.T., Respondent 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.

COUNT ONE

11. Petitioner realleges paragraphs one through four and eight above as if fully set forth herein this Count One.

12. Based on the foregoing allegations, Respondent violated Section 458.331(1)(n), Florida Statutes (1983), now Section 458.331(1)(m), as reenacted by Chapter 86-245, Law of Florida, 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

13. Petitioner realleges paragraphs one through five and seven through eight above as if fully set forth herein this Count Two.

14. Based on the foregoing allegations, Respondent violated Section 458.331(1)(q), Florida Statutes, by prescribing, dispensing, administering, mixing or otherwise preparing a legend drug, including any controlled substances, other than in the course of the physician's professional practice. For the purposes of this paragraph, it shall be legally presumed that prescribing, dispensing, administering, mixing or otherwise preparing legend drugs, including all controlled substances, inappropriately or in excessive or inappropriate quantities is not in the best interest of the patient and is not in the course of the physician's professional practice, without regard to his intent.

COUNT THREE

15. Petitioner realleges paragraphs one through ten above as if fully set forth herein this Count Three.

16. 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.

COUNT FOUR

17. Petitioner realleges paragraphs one through six above as if fully set forth herein this Count Four.

18. Pursuant to Title 21 C.F.R. Section 1306.04(c), a prescription may not be issued for the dispensing of narcotic drugs listed in any schedule for detoxification or maintenance treatment.

19. Based on the foregoing allegations, Respondent violated Section 458.331(1)(h), Florida Statutes (1983), now Section 458.331(1)(g), as reenacted by Chapter 86-245, Laws of Florida, by failing to perform any statutory or legal obligation placed upon a licensed physician.

COUNT FIVE

20. Petitioner realleges paragraphs one through nine above as if fully set forth herein this Count Five.

21. Based on the foregoing allegations, Respondent violated Section 458.331(1)(v), Florida Statutes, by practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities which the licensee knows or has reason to know that he is not competent to perform.

COUNT SIX

22. Petitioner realleges paragraphs one through two above as if fully set forth herein this Count Six.

23. At all times material hereto, Respondent dispensed sample drugs, including controlled substances, from his office.

24. On or about July 2, 1986, an inspection of Respondent's office by Investigator Beth Christie revealed the following:

a. The labels of the drugs dispensed, which included Ativan and sleeping tablets, provided instructions for use only and did not contain any of the other labelling information required by Section 893.05(2), Florida Statutes.

b. Although Respondent dispensed controlled substances from his office, Respondent failed to maintain records to account for controlled substances received and dispensed; and Respondent failed to maintain a biennial inventory of controlled substances, contrary to Section 893.07, Florida Statutes.

25. Pursuant to Section 465.027(2), Florida Statutes, a physician who dispenses drugs must comply with all state and federal laws pertaining to dispensing and labeling of drugs.

26. Based on the foregoing, Respondent violated Section 458.331(1)(h), Florida Statutes (1983), now Section 458.331(1)(g), as reenacted by Chapter 86-245, Laws of Florida, by failing to perform any statutory or legal obligation placed upon a licensed physician.

WHEREFORE, the Petitioner respectfully requests that the Board of Medicine 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 15<sup>th</sup> day of January, 1987.

Fred Roche  
FRED ROCHE, Secretary  
Department of Professional  
Regulation

COUNSEL FOR DEPARTMENT:

Stephanie A. Daniel  
Senior Attorney  
Department of Professional  
Regulation  
130 North Monroe Street  
Tallahassee, FL 32399-0750  
(904) 488-0062

SAD/11  
12-26-86

PCP/EE, JO, AS

**FILED**  
DEPARTMENT OF PROFESSIONAL REGULATION  
Melinda Huggins  
CLERK  
DATE January 20, 1987

BEFORE THE BOARD OF MEDICINE

DEPARTMENT OF  
PROFESSIONAL REGULATION  
PETITIONER

DOAH CASE NO.  
DPR CASE NO. 0071148

v.

HECTOR R. CORZO, M.D.

RESPONDENT

ORDER OF TERMINATION

Upon review of the terms and conditions of the final order of the Board of Medicine rendered June 19, 1987, the documentation offered on behalf of Respondent, and being otherwise fully advised in the premises, it is hereby **ORDERED AND ADJUDGED:** That Respondent completed his period of probation on June 18, 1988 and has complied with all terms of the Final Order rendered June 19, 1987.

DONE AND ORDERED this 20 day of June, 1988.

BOARD OF MEDICINE

Emilio D. Echevarria, M.D.  
Emilio D. Echevarria, Chairman,  
Board of Medicine

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by certified mail to Hector R. Corzo, M.D., 11200 Seminole Boulevard, Largo, Florida 33444; interoffice delivery to Bruce Lamb, Esquire, Department of Professional Regulation, 130 North Monroe Street, Tallahassee, Florida 32399-0750, at or before 5:00 P.M., this 20 day of June, 1988.

**FILED**

Department of Professional Regulation  
AGENCY CLERK

CLERK Melinda Hill

DATE 6/20/88

Anthony J. Fairchild  
Executive Director, Board of  
Medicine