

STATE OF FLORIDA
DEPARTMENT OF PROFESSIONAL REGULATION

BOARD: MEDICINE
CASE NUMBER: 8906569
COMPLAINT MADE BY: DPR
DATE COMPLAINT RECEIVED: July 20, 1989
COMPLAINT MADE AGAINST: William Elstein, M.D.
3920 Bee Ridge Road
Sarasota, Florida 34233-1258
REVIEWED BY: Lynne A. Quimby-Pennock
STAFF RECOMMENDATION: CLOSED (PL-06)

CLOSING ORDER

THE COMPLAINT: Complainant alleges that the Subject of the investigation failed to practice medicine with an acceptable level of care in that he dispensed medications without writing prescriptions, failed to properly label stock medications, and failed to remove outdated medications.

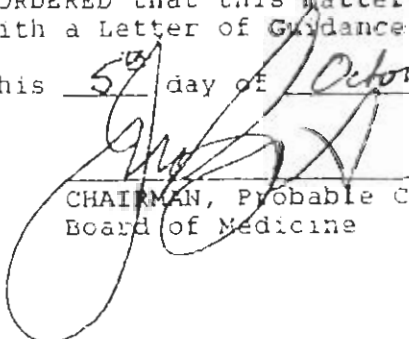
THE FACTS: Investigation substantiated the allegations. On or about June 19, 1989 the Department conducted a routine dispensing practitioner inspection. The investigation revealed that the Subject was dispensing medication without prescriptions, had medications in stock that were not properly labelled, had medications in stock that had passed their expiration date, and that Subject delegated the dispensing of medications to office personnel not qualified to perform such duties.

The Subject has submitted an affidavit of compliance that the deficiencies have been corrected.

THE LAW: Based on the foregoing, there is sufficient evidence to support a finding of probable cause to believe that Subject violated the provisions of Section 458.331(1)(w), and 458.331(1)(x), Florida Statutes by violating Section 465.0276(2)(c), Florida Statutes, Florida Administrative Code 21S-4.001(1)(g), 21S-1.013, 21S-1.017. However, under the aforesaid circumstances, this case should be closed with a Letter of Guidance.

It is, therefore, ORDERED that this matter should be and the same is hereby CLOSED with a Letter of Guidance.

DONE and ORDERED this 5th day of October, 1990.



CHAIRMAN, Probable Cause Panel
Board of Medicine