

STATE OF ILLINOIS
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DIVISION OF PROFESSIONAL REGULATION

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION of the State of Illinois, Complainant)	
v.)	No. 2023-04127
Erwin F. Ramos, M.D.)	
License No. 036-140422,)	
Respondent)	

CONSENT ORDER

The Department of Financial and Professional Regulation, Division of Professional Regulation, of the State of Illinois, by Vladimir Lozovski, one of its attorneys, (hereinafter the "Department") and Erwin F. Ramos, M.D., (hereinafter "Respondent"), hereby agree to the following:

STIPULATIONS

Erwin F. Ramos, M.D. is licensed as a Physician and Surgeon in the State of Illinois, holding License No. 036-140422, which is currently in non-renewed status since November 2020. At all times material to the matter(s) set forth in this Consent Order, the Department of Financial and Professional Regulation, Division of Professional Regulation, of the State of Illinois had jurisdiction over the subject matter and parties herein.

Information has come to the Department's attention that on or about April 28, 2023, Florida Board of Medicine disciplined Respondent's medical license (see Dept Exhibit A, attached hereto and made a part of this Consent Order). The allegation(s) as set forth herein, if proven to be true, would constitute grounds for suspending, revoking or other discipline of Respondent's license as a Physician and Surgeon, on the authority 225 Illinois Compiled Statutes, Paragraph 60/22(A)(12).

On May 17, 2023, the Department issued its Notice of Intent to Refuse to Renew Respondent's Illinois Physician and Surgeon License by emailing said Notice to Respondent's last

known email address with the Department. Subsequently, Respondent contacted the Department indicating his desire to resolve this matter amicably. Respondent has been advised of the right to a hearing and the right to Administrative Review of any Order resulting from a hearing. Respondent knowingly waives each of these rights, as well as any right to administrative review of this Consent Order. Such waiver ceases if this Consent Order is rejected by either the Director or the Illinois State Medical Board. Respondent acknowledges that she has freely and willfully entered into this Consent Order without any threat or coercion by any person. Respondent has not relied upon any representation by or on behalf of the Department other than those set forth herein.

Respondent and the Department have agreed, in order to resolve this matter, that Respondent be allowed to enter into a Consent Order with the Department, providing for the following:

CONDITIONS

WHEREFORE, the Department, through Vladimir Lozovskiy, its attorney, and Erwin F. Ramos, M.D., Respondent, agree to the following:

A. Upon effective date of this Consent Order, Illinois Physician and Surgeon License of Erwin F. Ramos, M.D., License No. 036-140422 is hereby placed on indefinite probation. The Department and Respondent agree that Respondent will be allowed to file a Petition for Termination of the Probation of his Illinois Physician and Surgeon License upon restoration of his Florida Physician License to full unencumbered status without any conditions;

B. Respondent shall notify the Department's Chief of Probation Investigations in writing if he plans to practice in Illinois. Respondent agrees that he will appear in front of Illinois State Medical Board prior to restoration of Respondent's Illinois Physician and Surgeon License from non-renewed status;

C. Respondent shall comply with all the terms and conditions of the Probation of

his Florida Physician License pursuant to April 2023 Florida Board of Medicine Order, attached as the Department Exhibit A and made a part of this Consent Order.

Respondent shall notify the Department's Probation Compliance Unit via email within ten (10) days if he becomes a subject of investigation related to his compliance with the aforementioned Florida Probation;

D. While on Probation, Respondent shall notify the Department's Probation Compliance Unit via email within ten (10) days regarding the following: (i) information, regarding any arrests, criminal, or civil actions filed, including DUI and/or other similar offenses against the Respondent; (ii) any adverse action taken against him related to the practice of medicine by another entity including but not limited to licensing authorities, insurance companies, and state and federal agencies, within ten (10) days of said adverse action; and (iii) when he is the subject of any investigation initiated by another entity, including but not limited to licensing authorities, insurance companies, and state and federal agencies, within ten (10) days of said investigation;

E. Respondent agrees that a violation of the terms and conditions of this Consent Order or a violation of the terms of probation is a violation of 225 ILCS 60/22(A)(15);

F. Respondent shall not violate the Illinois Medical Practice Act of 1987, any other federal and state laws related to the practice of medicine;

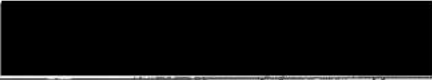
G. If Respondent violates any of the terms and conditions of this Order, the Director of the Division of Professional Regulation may issue an Order forthwith mandating the automatic, immediate, indefinite suspension of Respondent's Illinois Physician License 036-140422 for a minimum of twelve (12) months. This indefinite suspension shall not preclude the Department from taking any other disciplinary or other actions it deems appropriate. In the event Respondent contests in writing (by the filing of an appropriate

petition with the Department) the factual basis underlying said indefinite suspension within thirty (30) days of the imposition thereof, then Respondent shall be afforded a hearing on the merits within thirty (30) days from filing of said petition;

H. This Consent Order is a final administrative order. Consent Order shall become effective immediately after it is approved by the Director of the Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation.


6/26/2023

DATE


Vladimir Lozovski, Attorney for Department


06/23/2023

DATE


Erwin F. Ramos, M.D., Respondent

5 July 2023


DATE


Member, Illinois State Medical Board

The foregoing Consent Order is approved in full.

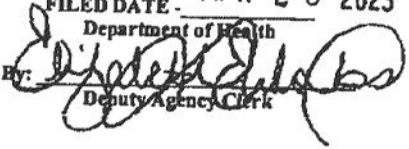
DATED THIS 5th day of August, 2023.

**DEPARTMENT OF FINANCIAL AND PROFESSIONAL
REGULATION of the State of Illinois,
Mario Treto, Jr., Secretary
DIVISION OF PROFESSIONAL REGULATION**



**Cecilia Abundis
Director**

Case No. 2023-04127/ License No. 036-140422

Final Order No. DOH-23-0378-5 -MQA
FILED DATE - APR 28 2023
Department of Health
By: 
Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF MEDICINE

DEPARTMENT OF HEALTH,

Petitioner,

vs.

DOH CASE NO.: 2019-39960
LICENSE NO.: ME00106951

ERWIN FLORES RAMOS, M.D.,

Respondent.

FINAL ORDER

THIS CAUSE came before the BOARD OF MEDICINE (Board) pursuant to Sections 120.569 and 120.57(4), Florida Statutes, on March 31, 2023, in Orlando, Florida, for the purpose of considering a Settlement Agreement (attached hereto as Exhibit A) entered into between the parties in this cause. Upon consideration of the Settlement Agreement, the documents submitted in support thereof, the arguments of the parties, and being otherwise fully advised in the premises,

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

The costs set forth in Paragraph 3 of the Stipulated Disposition shall be set at \$5,263.85.

Accordingly, the parties shall adhere to and abide by all the terms and conditions of the Settlement Agreement as clarified above.

This Final Order shall take effect upon being filed with the Clerk of the Department of Health.

DONE AND ORDERED this 25th day of April, 2023.

BOARD OF MEDICINE



Paul A. Vazquez, J.D., Executive Director
For Scot Ackerman, M.D., Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to: Erwin Flores Ramos, M.D., 6520 Samuel Lane, Vero Beach, FL 32966 and Robert Rappel, Esq., 601 21st Street, Suite 300, Vero Beach, FL 32960; by email to Andrew Pietrylo, Chief Legal Counsel, Department of Health, at Andrew.Pietrylo@flhealth.gov; and Christopher R. Dierlam, Senior Assistant Attorney General, at Christopher.Dierlam@myfloridalegal.com this 28 day of April, 2023.

 Deputy Agency Clerk

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

Petitioner,

v.

DOH Case No. 2019-39960

Erwin Flores Ramos, M.D.,

Respondent.

SETTLEMENT AGREEMENT

Petitioner, Department of Health ("Department"), and Respondent, Erwin Flores Ramos, pursuant to section 120.57(4), Florida Statutes, offer this Settlement Agreement ("Agreement") and agree to the entry of a Final Order of the Board of Medicine ("Board") incorporating this Agreement as disposition of this matter, in lieu of any other administrative proceedings.

STIPULATED FACTS

1. At all times material hereto, Respondent was a licensed physician in the State of Florida having been Issued license number ME 106951.
2. The Department charged Respondent with an Administrative Complaint that was filed and properly served upon Respondent alleging violations of Chapter 456 and/or 458, Florida Statutes, and the rules adopted pursuant thereto. A true and correct copy of the Administrative Complaint is attached hereto as Exhibit A.
3. For purposes of these proceedings, Respondent neither admits nor denies the allegations of fact contained in the Administrative Complaint.

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that, in their capacity as a licensed physician, they are subject to the provisions of Chapters 456 and 458, Florida Statutes, and the jurisdiction of the Department and the Board.
2. Respondent admits that the facts alleged in the Administrative Complaint, if proven, would constitute violations of Chapter 456 and/or 458, Florida Statutes.
3. Respondent agrees that the Stipulated Disposition in this case is fair, appropriate and acceptable to Respondent.

STIPULATED DISPOSITION

1. **Reprimand** – The Board shall issue a Reprimand against Respondent's license.
2. **Fine** – The Board shall impose an administrative fine of ***Five Thousand Dollars (\$5000.00)*** against Respondent's license which Respondent shall pay to:

Payments – DOH Compliance Management Unit
 Bin C-76
 P.O. Box 6320
 Tallahassee, FL 32314-6320

All fines shall be paid by cashier's check or money order. Payments must be made within thirty (30) days of the date of filing of the Final Order accepting this Agreement. Any change in the terms of payment of any fine imposed by the Board **must be approved in advance by the Probation Committee of the Board.**

3. **Reimbursement of Costs** – Pursuant to Section 456.072, Florida Statutes, Respondent agrees to pay the Department for the Department's costs incurred in the investigation and prosecution of this case ("Department costs"). Such costs exclude

the costs of obtaining supervision or monitoring of the practice, the cost of quality assurance reviews, any other costs Respondent incurs to comply with the Final Order, and the Board's administrative costs directly associated with Respondent's probation, if any. Respondent agrees that the amount of Department costs to be paid in this case is ***Five Thousand Two Hundred Sixty-Three Dollars and Eighty-Five Cents (\$5,263.85).***

Respondent shall pay such Department costs to:

Payments – DOH Compliance Management Unit
Bin C-76
P.O. Box 6320
Tallahassee, FL 32314-6320

All costs shall be paid by cashier's check or money order. Payments must be made within thirty (30) days of the date of filing of the Final Order accepting this Agreement. Any change in the terms of payment of any fine imposed by the Board **must be approved in advance by the Probation Committee of the Board.**

4. **Drug Course** – Respondent shall document completion of five (5) hours of Continuing Medical Education (CME) in prescribing amphetamines within one (1) year from the date the Final Order is filed.

6. **Risk Management Course** – Respondent shall document completion of five (5) hours of Continuing Medical Education (CME) in risk management within one (1) year from the date the Final Order is filed.

7. **Probation Language** – Effective on the date of the filing of the Final Order, Respondent shall be placed on probation for a period of one (1) year subject to the following terms and conditions:

(a) Respondent's Required Appearance Before Probation Committee – Respondent shall appear before the Probationer's Committee at the **first** meeting after said probation commences, at the **last** meeting of the Probationer's Committee preceding termination of probation, quarterly and at such other times requested by the Committee. Respondent shall be noticed by Board staff of the date, time, and place of the Board's Probationer's Committee where at Respondent's appearance is required. **Failure of Respondent to appear as requested or directed shall be considered a violation of the terms of probation and shall subject Respondent to disciplinary action.**

(b) Indirect Supervision – Respondent shall not practice except under the indirect supervision of a BOARD-CERTIFIED physician (hereinafter "Monitor") fully licensed under Chapter 458 to be approved by the Board's Probation Committee. Indirect supervision does not require that the Monitor practice on the same premises as Respondent. However, the Monitor shall practice within a reasonable geographic proximity to Respondent, which shall be within 20 miles unless otherwise provided by the Board, and shall be readily available for consultation. The Monitor shall be Board Certified, and actively engaged, in Respondent's specialty area unless otherwise provided by the Board. Respondent shall allow the Monitor access to Respondent's medical records, calendar, patient logs or other documents necessary for the Monitor to perform the duties set forth below.

(c) Temporary Approval of Monitor/Supervisor – The Board confers authority on the Chairman of the Probation Committee to temporarily approve Respondent's Monitor/Supervisor. To obtain temporary approval, Respondent shall submit to the

Chairman of the Probation Committee the name and curriculum vitae of the proposed monitor/supervisor at the time this Agreement is considered by the Board. **Once a Final Order adopting the Agreement is filed, Respondent shall not practice medicine without an approved Monitor/Supervisor. Temporary approval shall only remain in effect until the next meeting of the Probation Committee.**

(d) Formal Approval of Monitor/Supervisor – Prior to the consideration of the Monitor/Supervisor by the Probation Committee, Respondent shall provide a copy of the Administrative Complaint and Final Order in this case to the Monitor/Supervisor. Respondent shall submit a copy of the proposed Monitor/Supervisor's current curriculum vita and a description of their current practice to the Board office no later than fourteen (14) days before Respondent's first scheduled probation appearance. Respondent shall ensure that the Monitor/Supervisor is present with Respondent at Respondent's first appearance before the Probation Committee, and at such other times as directed by the Committee. **It shall be Respondent's responsibility to ensure the appearance of the Monitor/Supervisor as directed. If the approved Monitor/Supervisor fails to appear as directed by the Probation Committee, Respondent shall immediately cease practicing medicine until such time as the approved Monitor/Supervisor or alternate approved monitor appears before the Probation Committee.**

(e) Change In Monitor/Supervisor – In the event that the Monitor/Supervisor is unable or unwilling to fulfill the responsibilities of a Monitor/Supervisor as described above, Respondent shall immediately advise the Probation Committee of this fact and

submit the name of a temporary Monitor/Supervisor for consideration. **Respondent shall not practice pending approval of the temporary Monitor/Supervisor by the Chairman of the Probation Committee.** Furthermore, Respondent shall make arrangements with their temporary Monitor/Supervisor to appear before the Probation Committee at its next regularly scheduled meeting. Respondent shall only practice under the auspices of the temporary Monitor/Supervisor (after approval by the Chairman) until the next regularly scheduled meeting of the Probation Committee at which the formal approval of Respondent's new Monitor/Supervisor shall be addressed.

(f) Alternate Monitor – In view of the need for ongoing and continuous monitoring or supervision, Respondent shall also submit the curriculum vitae and name of an alternate supervising/monitoring physician who shall be approved by Probation Committee. Such physician shall be licensed pursuant to Chapter 458, Florida Statutes, and shall have the same duties and responsibilities as specified for Respondent's monitoring/supervising physician during those periods of time which Respondent's monitoring/supervising physician is temporarily unable to provide supervision. Prior to practicing under the indirect supervision of the alternate monitoring physician or the direct supervision of the alternate supervising physician, Respondent shall so advise the Board in writing. Respondent shall further advise the Board in writing of the period of time during which Respondent shall practice under the supervision of the alternate monitoring/supervising physician. Respondent shall not practice unless Respondent is under the supervision of either the approved supervising/monitoring physician or the approved alternate.

(g) Responsibilities of the Monitor/Supervisor – The Monitor/Supervisor shall:

(1) Review 25 percent of Respondent's active patient records at least once every quarter for the purpose of ascertaining proper documentation and follow-up for treatment. The Monitor shall go to Respondent's office once every quarter and shall review Respondent's calendar or patient log and shall select the records to be reviewed.

(5) Submit reports to the Probation Committee on a tri-annual basis, in affidavit form, which shall include:

- a. A brief statement of why Respondent is on probation;
- b. A description of Respondent's practice (type and composition);
- c. A statement addressing Respondent's compliance with the terms of probation;
- d. A brief description of the Monitor/Supervisor's relationship with Respondent;
- e. A statement advising the Probation Committee of any problems that have arisen; and
- f. A summary of the dates the Monitor/Supervisor went to Respondent's office, the number of records reviewed, the overall quality of the records reviewed, and the dates Respondent contacted the Monitor/Supervisor.

(6) Report Immediately to the Board any violations by Respondent of Chapters 456 or 458, Florida Statutes, and the rules promulgated thereto.

(h) Reporting by Respondent – Respondent shall submit tri-annual reports, in affidavit form, the contents of which may be further specified by the Board, but which shall include:

- (1) A brief statement of why Respondent is on probation;
- (2) A description of practice location;
- (3) A description of current practice (type and composition);
- (4) A brief statement of compliance with probationary terms;
- (5) A description of the relationship with the Monitor/Supervisor;
- (6) A statement advising the Board of any problems that have arisen;
and
- (7) A statement addressing compliance with any restrictions or requirements imposed.

(I) Tolling Provisions – In the event Respondent leaves the State of Florida for a period of 30 days or more or otherwise does not or may not engage in the active practice of medicine in the State of Florida, then certain provisions of the requirements in the Final Order adopting this Agreement shall be tolled and shall remain in a tolled status until Respondent returns to the active practice of medicine in the State of Florida. **Respondent shall notify the Compliance Officer 10 days prior to his/her return to practice in the State of Florida.** Unless otherwise set forth in the Final Order, **the following requirements and only the following requirements** shall be tolled until Respondent returns to active practice:

- (1) The time period of probation shall be tolled;
- (2) The provisions regarding supervision whether direct or indirect by the monitor/supervisor, and required reports from the monitor/supervisor shall be tolled.

(j) Supervision of Physician Assistants and/or Anesthesiologist Assistants – Respondent is required to notify, in writing, any physician assistant and/or anesthesiologist assistant whom the Probationer supervises, of Respondent's probationary status. A copy of said written notification(s) shall be submitted to the Board's Compliance Officer within ten (10) days of the filing of the Final Order.

(k) Active Practice – In the event that Respondent leaves the active practice of medicine for a period of one year or more, Respondent may be required to appear before the Board and demonstrate the ability to practice medicine with reasonable skill and safety to patients prior to resuming the practice of medicine in the State of Florida.

STANDARD PROVISIONS

1. Appearance – Respondent is required to appear before the Board at the meeting of the Board where this Agreement is considered.

2. No Force or Effect until Final Order – It is expressly understood that this Agreement is subject to the approval of the Board and the Department. In this regard, the foregoing paragraphs (and only the foregoing paragraphs) shall have no force and effect unless the Board enters a Final Order incorporating the terms of this Agreement.

3. Continuing Medical Education – Unless otherwise provided in this Agreement Respondent shall first submit a written request to the Probation Committee for approval prior to performance of said CME course(s). Respondent shall submit documentation to the Board's Probation Committee of having completed a CME course in the form of certified copies of the receipts, vouchers, certificates, or other papers, such as physician's recognition awards, documenting completion of this medical course within

one (1) year of the filing of the Final Order in this matter. All such documentation shall be sent to the Board's Probation Committee, regardless of whether some or any of such documentation was provided previously during the course of any audit or discussion with counsel for the Department. CME hours required by this Agreement shall be in addition to those hours required for renewal of licensure. Unless otherwise approved by the Board's Probation Committee, such CME course(s) shall consist of a formal, live lecture format.

4. **Addresses** – Respondent must provide current residence and practice addresses to the Board. Respondent shall notify the Board in writing within fifteen (15) days of any changes of said addresses

5. **Future Conduct** – In the future, Respondent shall not violate Chapter 456, 458 or 893, Florida Statutes, or the rules promulgated pursuant thereto, or any other state or federal law, rule, or regulation relating to the practice or the ability to practice medicine to include, but not limited to, all statutory requirements related to practitioner profile and licensure renewal updates. Prior to presentation of this Agreement to the Board, Respondent shall read Chapters 456, 458 and 893 and the Rules of the Board of Medicine, at Chapter 64B8, Florida Administrative Code.

6. **Violation of Terms** – It is expressly understood that a violation of the terms of this Agreement shall be considered a violation of a Final Order of the Board, for which disciplinary action may be initiated pursuant to Chapters 456 and 458, Florida Statutes.

7. **Purpose of Agreement** – Respondent, for the purpose of avoiding further administrative action with respect to this cause, executes this Agreement. 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 Agreement. Respondent agrees to support this Agreement at the time it is presented to the Board and shall offer no evidence, testimony or argument that disputes or contravenes any stipulated fact or conclusion of law. Furthermore, should this Agreement not be accepted by the Board, it is agreed that presentation to and consideration of this Agreement 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.

8. **No Preclusion of Additional Proceedings** – Respondent and the Department fully understand that this Agreement and subsequent Final Order will in no way preclude additional proceedings by the Board and/or the Department against Respondent for acts or omissions not specifically set forth in the Administrative Complaint attached as Exhibit A.

9. **Waiver of Attorney's Fees And Costs** – Upon the Board's adoption of this Agreement, the parties hereby agree that with the exception of Department costs noted above, the parties will bear their own attorney's fees and costs resulting from prosecution or defense of this matter. Respondent waives the right to seek any attorney's fees or costs from the Department and the Board in connection with this matter.

10. **Waiver of Further Procedural Steps** – Upon the Board's adoption of this Agreement, 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 Agreement and the Final Order of the Board incorporating said Agreement.

[Signatures appear on the following page.]

SIGNED this 6 day of December, 2022.

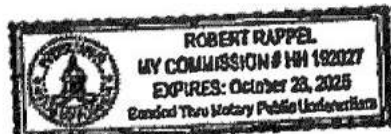

Erwin Flores Ramos, M.D.

STATE OF FLORIDA

COUNTY OF INDIAN RIVER

BEFORE ME personally appeared ERWIN FLORES RAMOS MD whose identity is
known to me or who produced _____ (type of identification)
and who, under oath, acknowledges that their signature appears above.

SWORN TO and subscribed before me this 17th day of December 2022.




My Commission Expires:


NOTARY PUBLIC

APPROVED this 25th day of January, 2023.

Joseph A. Ladapo, MD, PhD
State Surgeon General

By: 
Justin R. Ravelo
Assistant General Counsel
Department of Health