

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NO.: 2005-03630

CELINA POY-WING, M.D.,

RESPONDENT.

ADMINISTRATIVE COMPLAINT

COMES NOW, Petitioner, Department of Health, by and through its undersigned counsel, and files this Administrative Complaint before the Board of Medicine against the Respondent, Celina Poy-Wing, 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 41607.

3. Respondent's address of record is 817 South University Drive Suite 100A, Plantation, Florida 33324.

4. On or about January 31, 1998, Patient N.W., a 47 year-old female weighing 184 pounds presented to All Women's OB/GYN Group for a liposuction procedure.

5. Subject conducted the liposuction procedure and removed 6075 ml of fat from Patient N.W.'s abdomen, flanks and back.

6. The removal of 6075 ml of fat from the abdomen, flanks and back from a female weighing 184 pounds constitutes over-resection of fat during liposuction.

7. As a result of the over-resection of fat during the liposuction procedure, the patient suffered from pain, scar tissue, decreased abdominable sensation, mottled skin and discoloration.

8. Subject has failed to maintain medical records for Patient N.W. despite on-going legal action and inquiry.

9. Section 458.331(1)(t), Florida Statutes (1998), sets forth grounds for disciplinary action by the Board of Medicine for 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.

10. 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 by removing 6075 ml of fat from the abdomen, flanks and back of a 47 year-old female weighing 184 pounds.

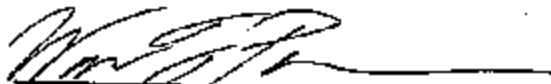
11. Based on the foregoing, Respondent has violated Section 458.331(1)(t), Florida Statutes (1998), by failing to practice medicine with that level of care, skill, and treatment which is recognized by a reasonably prudent similar physician as being acceptable under similar conditions and circumstances.

WHEREFORE, the Petitioner respectfully requests that the Board of 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 28th day of June

2006.

M. Rony Francois, M.D., M.S.P.H., Ph. D.
Secretary, Department of Health



Warren James Pearson
Assistant General Counsel
DOH Prosecution Services Unit
4052 Bald Cypress Way, Bin C-65
Tallahassee, FL 32399-3265
Florida Bar No. 0711578
(850) 245-4640
(850) 245-4681 FAX

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK Heather Coleman
DATE 6/29/06

PCP: June 23, 2006
PCP Members:
El-Bahri, Davies, Dyches

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 any other discipline imposed.