



STATE OF FLORIDA



DEPARTMENT OF HEALTH

INVESTIGATIVE REPORT

Office: Area 10 Fort Lauderdale	Date of Complaint: 12/28/17	Case Number: 2017-23375
Subject: HARVERY CRAIG ROTH, M.D. 20423 State Road 7, F-6-199 Boca Raton, Florida 33498 (954) 733-0121	Source: K.N.M.	
Profession: Medical Doctor	License Number and Status: ME64837 Clear/Active	
Related Case(s): None	Period of Investigation and Type of Report: 01/04/18 to 03/27/18- Final	
Alleged Violation: 456.072 (1)(k)(bb)(dd), F.S., 458.331(1)(g)(m)(t)(nn), F.S.		
Synopsis: This investigation is predicated upon receipt of a complaint (Case summary Exhibit #1), from K.N.M., 35 y/o female, in regard to ROTH, alleging he provided substandard care; performed wrong/unauthorized procedure and failed to maintain records. Alleges K.N.M. presented to ROTH's clinic in Hollywood on 12/11/17, for an abortion pill procedure. Alleges K.N.M. signed consent forms for the procedure and was taken to another room. K.N.M. alleges she was injected in her arm and waking up later in a recovery room. Alleges a staff person informed K.N.M. ROTH had mistakenly performed a surgical abortion because her chart got mixed up with another patient and told her she had to sign new paperwork consenting to the surgical abortion before she could leave. Alleges K.N.M. requested her medical records several days later and was told the original consent forms she signed for the pill abortion had been 'accidently shredded.'		
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Subject Notification Completed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Subject Responded? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Patient Notification Completed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Above referenced licensure checked in database/LEIDS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Board certified? American Board of Obstetrics and Gynecology Date: Specialty: Obstetrics and Gynecology Law Enforcement <input type="checkbox"/> Notified Date: <input type="checkbox"/> Involved Agency: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Subject represented by an attorney? MEGAN S. PARANZINO, of the Law Firm of LUBELL & ROSEN Museum Plaza, Suite 900, 200 South Andrews Avenue, Fort Lauderdale (954) 880-9500.		
Investigator/Date: 03/29/2018 Katherine F. Rosenblatt, Medical Quality Assurance Investigator LI-77	Approved By/Date: 3/30/18 Karen Anderson, Investigative Supervisor, LI -131	
Distribution: HQ/ISU		Page 1

TABLE OF CONTENTS

I. INVESTIGATIVE REPORT COVER 1

II. TABLE OF CONTENTS 2

III. INVESTIGATIVE DETAILS

Interview/Statements:

 Investigator’s note..... 3

 Interview of K.N.M. (Source)..... 3

 Statement of HARVEY C. ROTH, M.D. (Subject)..... 3

IV. EXHIBITS

* 1. Case Summary with attachments.....4-23

2. ROTH’s notification letter, dated 01/04/18..... 24-25

* 3. Source’s notification letter, dated 01/26/18..... 26

4. Website for Women’s Center of Hollywood.....27-28

* 5. Confidential Memorandum, dated 01/24/18, directed to A Women’s Center of Hollywood, 3829 Hollywood Blvd., Suite C, Hollywood, Florida 33139 regarding Subpoena Duces Tecum A0102936 for K.N.M.’s medical records.....29-32

* 6. Copy of Subpoena Duces Tecum A0102936 to NATASHA DIAZ, Manager at A Women’s Center of Hollywood by Investigator KATHERINE ROSENBLATT.....33-36

* 7. Certification of Medical Records certified by SIOMARA GUZMAN custodian of patient records at A Women’s Center of Hollywood.....37-38

* 8. K.N.M.’s medical record.....39-59

9. Email, dated 01/24/18, with attached letter of representation from ROTH’s attorney, MEGAN S. PARANZINO60-61

10. Letter of Representation mailed, dated 01/24/18, from ROTH’s attorney, MEGAN S. PARANZINO, received on 01/29/18.....66-63

* 11. Email, dated 02/15/18, with attached Letter of Response from ROTH’s attorney, MEGAN S. PARANZINO64-83

* 12. Letter of Response mailed, dated 02/15/18, with attached letter of response from ROTH’s attorney, MEGAN S. PARANZINO, received on 02/20/18 84-103

* 13. Confidential Index of Name(s) 104

* Exhibits contain information which identifies patient(s) by name and are sealed pursuant to section 456.057(9) (a) Florida Statute.

INVESTIGATIVE DETAILS

INVESTIGATOR'S NOTE: A telephone voice message was left for K.N.M. to call this Investigator on 03/21/18.

INTERVIEW OF K.N.M. (Source):

On 03/21/18, Investigator ROSENBLATT interviewed K.N.M. via telephone. The complaint was read and reviewed. K.N.M. stated she wrote a very detailed description of the events that took place at A Women's Center located in Hollywood, Florida. K.N.M. stated she made it very clear when she presented to A Women's Center she wanted to have the medical 'pill' abortion and signed all the related documents for the same. K.N.M. stated she was first lead into a room where her vitals were taken. K.N.M. stated the medical assistant also explained how to take the 'pills' and possible side-affects. K.N.M. stated she was taken to another room to do her blood type and she was advised an ultrasound would be taken to determine how far along she was and she was estimated to be 4-5 weeks pregnant. K.N.M. stated she was also told she may need a intravaginal ultrasound to see the fetus and was told to go to the bathroom and undress from the waist down. K.N.M. stated she gave her credit card and signed for \$450.00 for the medical abortion pill.

K.N.M. stated she was given a gown and booties to put on her feet and taken to another waiting room where another woman was sitting there with a gown on. K.N.M. stated she then went to another room for an ultrasound. K.N.M. stated there was another nurse or medical assistant in the room and she was told it was Dr. ROTH. K.N.M. stated she was mentally distraught, crying, and was told to get on the table, put her feet in stir-ups and open her legs. K.N.M. stated at no time did Dr. ROTH introduce himself or ever speak to her about what they were doing or look at her directly. K.N.M. she was urged again to put her feet in stir-ups and when she hesitated she could see the frustration in Dr. ROTH's eyes. K.N.M. stated the last thing she remembered, after looking up at the ultrasound as they put it equipment on her abdomen, she saw what appeared to be a small fetus and as she was crying someone put a needle in her right arm. K.N.M. stated when she woke up she was confused and felt drugged. K.N.M. stated a staff member helped her up and lead her into another room to sign more documents as she was told a surgical abortion has been done because there was a chart mix up. K.N.M. stated she had not consented to a surgical abortion, but was told she must sign the documents before she could leave. K.N.M. stated this was traumatic and she felt a violation of her body. K.N.M. stated there was no apology from Dr. ROTH.

STATEMENT OF HARVEY CRAIG ROTH, M.D. (Subject):

Licensure address
20423 State Road 7, F-8-199
Boca Raton, Florida 33498
(954) 733-0121

ROTH graduated with his Medical Degree from University of Michigan Medical School, Ann Arbor, Michigan (08/01/1987-06/01/1991); Residency in Obstetrics and Gynecology at Long Island College Hospital, Brooklyn, N.Y. (08/01/1991-07/31/1995) and is Board Certified by the American Board of Obstetrics and Gynecology, according to his practitioner profile and Curriculum Vitae. ROTH has staff privileges at University Hospital and Medical Center, Tamarac, Florida.

An email, dated 01/24/18, with attached letter of representation was directed to Investigator ROSENBLATT, received from ROTH's attorney, MEGAN S. PARANZINO (Exhibit #9). A Letter of Representation mailed, dated 01/24/18, was directed to Investigator ROSENBLATT and was received from ROTH's attorney, MEGAN S. PARANZINO, on 01/29/18 (Exhibit #10). An Email, dated 02/15/18, was directed to Investigator ROSENBLATT with attached Letter of Response was received from ROTH's attorney, MEGAN S. PARANZINO with ROTH's Curriculum Vitae attached (Exhibit #11). A Letter of Response mailed, dated 02/15/18, directed to Investigator ROSENBLATT with attached letter of response and ROTH's Curriculum Vitae was received from ROTH's attorney, MEGAN S. PARANZINO on 02/20/18 (Exhibit #12).

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Rick Scott
Governor

Celeste Philip, MD, MPH
Surgeon General and Secretary

Vision: To be the Healthiest State in the Nation

January 4, 2018

CONFIDENTIAL TO:

Harvey Craig Roth, M.D.
20423 State Road 7, F6-199
Boca Raton, Florida 33498

Case Number: 2017 23376

Dear Dr. Roth:

We are currently investigating the enclosed document received by the Department of Health. This investigation was initiated after it was determined that you may have violated the Medical Doctor's Practice Act.

Within **45 days** of receiving this letter, you may:

- * submit a **written response** to the address below; or
- * call our office to schedule an **interview**.

Please provide a copy of your **curriculum vitae** and identify your **specialty** even if you choose not to submit a response. Include the above-referenced case number in any correspondence that you send.

Florida law requires that this case and all investigative information remain confidential until 10 days after the Probable Cause Panel has determined that a violation occurred or you give up the right to confidentiality. Therefore, the contents of the investigation cannot be disclosed to you or the general public. You may make a written request for a copy of the investigative file and it will be sent to you when the investigation is complete.

You are not required to answer any questions or give any statement, and you have the right to be represented by an attorney. It is not possible to estimate how long it will take to complete this investigation because the circumstances of each investigation differ.

The mission of the Department of Health is to protect, promote & improve the health of all people in Florida through integrated state, county and community efforts. If you have any questions please call us at 954-267-4532.

Sincerely,

A handwritten signature in black ink that reads "Katherine F. Rosenblatt".

Katherine F. Rosenblatt, M.S.
Medical Quality Assurance Investigator

/KR

Enclosures; Case Summary; Healthcare Practitioner Compliant Form; & Confidentiality Agreement

Florida Department of Health
Division of Medical Quality Assurance • Bureau of Enforcement
1400 West Commercial Blvd, Suite#130 • Fort Lauderdale, Florida
33309
PHONE: 954-202-3250 • FAX 943-202-3254



Accredited Health Department
Public Health Accreditation Board

INV Form 354, Revised 4/15, 1/15, 10/10, 6/07, Created 10/07

000024

EXHIBIT #2

Rosenblatt, Katherine

From: Amanda Gaspar <Amanda@lubellrosen.com>
Sent: Wednesday, January 24, 2018 11:39 AM
To: Rosenblatt, Katherine
Cc: Megan Sincore Paranzino
Subject: CASE NO. 2017 23376 - Harvey C. Roth, M.D.
Attachments: 2018 01 24 - Ltr of Rep..PDF

Good Morning Ms. Rosenblatt:

Please see attached correspondence in regards to the above mentioned matter. Kindly note a hard copy will follow via US Mail.

Thank you and if you need anything else please do not hesitate to contact our office.

Amanda Gaspar

Legal Assistant to Megan S. Paranzino, Esq.
and Patrick R. Sullivan, Esq.



Museum Plaza, Suite 900
200 South Andrews Ave.
Fort Lauderdale, FL 33301

Ph: 954.880.9500

Fx: 954.755.2993

www.lubellrosen.com

twitter.com/lubellrosen

lubellrosen.com/blog



Museum Plaza
Suite 900
200 South Andrews Avenue
Fort Lauderdale, FL 33301

www.lubellrosen.com

Megan S. Paranzino, Esq.

(954) 880-9500 office
(954) 755-2993 fax
msp@lubellrosen.com

January 24, 2018

VIA EMAIL & U.S. MAIL

Katherine F. Rosenblatt, M.S.
Florida Department of Health
Division of Medical Quality Assurance - Bureau of Enforcement
1400 West Commercial Blvd
Suite 130
Fort Lauderdale, FL 33309
Email: katherine.rosenblatt@flhealth.gov

RE: Harvey C. Roth, M.D.
Case No.: 2017 23376
Our File No: 2832-5

Dear Ms. Rosenblatt:

This firm represents Harvey C. Roth, M.D. in the above referenced matter. We are in receipt of the Department's January 4, 2018 letter to Dr. Roth explaining the investigation against him. A formal response to the forty-five-day letter will be provided no later than February 16, 2018.

We believe we are entitled to any documents in the possession of the Department of Health and/or the Agency for Healthcare Administration, and hereby request that same be provided to Dr. Roth along with a copy of the complete investigative file pursuant to Florida Statutes, § 458.331(9) and § 456.073(10). Dr. Roth hereby agrees to pay reasonable copying costs and to maintain the confidentiality of any information received pursuant to this request until ten days after a probable cause is found, if at all.

Thank you for your attention to this matter. If we can provide further assistance or information, please do not hesitate to contact our office.

Very truly yours,

A handwritten signature in cursive script that reads 'Megan S. Paranzino'.

Megan S. Paranzino, Esq.

cc: Harvey C. Roth, M.D.

000061



LUBELL ROSEN

RECEIVED

JAN 29 2018

Museum Plaza
Suite 900
200 South Andrews Avenue
Fort Lauderdale, FL 33301

www.lubellrosen.com

Megan S. Paranzino, Esq.

(954) 880-9500 office
(954) 755-2993 fax
msp@lubellrosen.com

January 24, 2018

VIA EMAIL & U.S. MAIL

Katherine F. Rosenblatt, M.S.
Florida Department of Health
Division of Medical Quality Assurance - Bureau of Enforcement
1400 West Commercial Blvd
Suite 130
Fort Lauderdale, FL 33309
Email: katherine.rosenblatt@flhealth.gov

RE: Harvey C. Roth, M.D.
Case No.: 2017 23376
Our File No: 2832-5

Dear Ms. Rosenblatt:

This firm represents Harvey C. Roth, M.D. in the above referenced matter. We are in receipt of the Department's January 4, 2018 letter to Dr. Roth explaining the investigation against him. A formal response to the forty-five-day letter will be provided no later than February 16, 2018.

We believe we are entitled to any documents in the possession of the Department of Health and/or the Agency for Healthcare Administration, and hereby request that same be provided to Dr. Roth along with a copy of the complete investigative file pursuant to Florida Statutes, § 458.331(9) and § 456.073(10). Dr. Roth hereby agrees to pay reasonable copying costs and to maintain the confidentiality of any information received pursuant to this request until ten days after a probable cause is found, if at all.

Thank you for your attention to this matter. If we can provide further assistance or information, please do not hesitate to contact our office.

Very truly yours,

Megan S. Paranzino, Esq.

cc: Harvey C. Roth, M.D.



LUBELL ROSEN

Museum Plaza - Suite 900
200 South Andrews Avenue
Fort Lauderdale, Florida 33301

RECEIVED

JAN 29 REC'D

MIAMI
FL 3331
25 JAN 18
PM 5 L



US POSTAGE

\$ 00.47

First-Class

Mailed From 33301

01/24/2018

032A 0061839311

Katherine F. Rosenblatt, M.S.
Florida Department of Health
1400 West Commercial Blvd
Suite 130
Fort Lauderdale, FL 33309

33309-378230

