

**STATE OF FLORIDA  
DEPARTMENT OF HEALTH**

**DEPARTMENT OF HEALTH,**

**PETITIONER,**

**v.**

**CASE NO. 2010-01180**

**LAWRENCE W. MILLER, M.D.,**

**RESPONDENT.**

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**ADMINISTRATIVE COMPLAINT**

Petitioner, Department of Health, by and through its undersigned counsel, hereby files this Administrative Complaint before the Board of Medicine against Respondent, Lawrence W. Miller, 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 84352.

3. Respondent's last known address of record is 1 Elcy Lane, Savannah, Georgia 31411.
4. Respondent is board certified in Obstetrics and Gynecology by the American Board of Obstetrics and Gynecology.
5. The Georgia Composite Medical Board (GA Board) is the licensing authority regulating the practice of medicine in the State of Georgia.
6. On or about January 7, 2010, the GA Board entered a Public Consent Order (*In the Matter Of: Lawrence W. Miller, M.D., License No. 50078, Respondent*) against Respondent's Georgia Medical License Number 50078, setting forth the following findings of fact and imposing the following disciplinary action(s) on the Respondent:
  - A. On or about March 11, 2008, Respondent performed an incomplete abortion on B.M., a 15-year-old patient, who was pregnant with twins. The same evening, B.M. was admitted to a hospital with severe abdominal/pelvic pain and bleeding, and underwent emergency surgery to repair three uterine perforations, and to complete the abortion and a cystoscopy.

B. A Board-appointed peer reviewer concluded that Respondent's treatment of B.M. departed from and failed to conform to minimal standards of acceptable and prevailing medical practice.

C. Respondent shall obtain 20 hours of continuing medical education (CME) in the area of pregnancy termination, within one year of the effective date of the Order, and in addition to the CME required of all Georgia physicians.

D. Respondent shall pay a fine of \$7,500.00 to the GA Board within 90 days of the effective date of the Order.

E. Respondent shall pay administrative fees of \$550.00 to the GA Board within 30 days of the effective date of the Order.

F. The Consent Order shall be considered a public reprimand of Respondent and the contents of the Order shall be placed on Respondent's Physician Profile.

7. The Public Consent Order entered by the GA Board constitutes action against Respondent's license to practice medicine in the State of Georgia.

8. Respondent failed to notify the Florida Board of Medicine in writing, within 30 days, of the disciplinary action(s) taken against his license by the GA Board, on or about January 7, 2010.

COUNT ONE

9. Petitioner re-alleges and incorporates by reference Paragraphs one through seven as if fully set forth herein.

10. Section 458.331(1)(b), Florida Statutes (2009), sets forth the grounds for disciplinary action by the Board of Medicine and provides that having a license or the authority to practice medicine revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state constitutes grounds for discipline. This Section further provides that a licensing authority's acceptance of a physician's relinquishment of license, stipulation, consent order, or other settlement, offered in response to or in anticipation of the filing of an administrative action against the physician's license, shall be construed as action against the physician's license.

11. The GA Board acted against Respondent's Georgia Medical License on or about January 7, 2010, by entering the above-referenced Public Consent Order.

12. Based on the foregoing Respondent has violated Section 458.331(1)(b), Florida Statutes (2009), by having his license acted against by the licensing authority of Georgia.

COUNT TWO

13. Petitioner re-alleges and incorporates by reference Paragraphs one through eight as if fully set forth herein.

14. Section 458.331(1)(kk), Florida Statutes (2009), provides that failing to report to the Board of Medicine, in writing within 30 days, when action, as defined in Section 458.331(1)(b), Florida Statutes, is taken against one's license to practice as a physician in another state, territory or country, constitutes grounds for discipline by the Florida Board of Medicine.

15. Respondent failed to report, in writing, the January 7, 2010, disciplinary action(s) taken against his license by the GA Board, to the Florida Board of Medicine within 30 days of that action.

16. Based on the foregoing, Respondent has violated Section 458.331(1)(kk), Florida Statutes (2009), by failing to report to the Florida Board of Medicine, in writing, within 30 days, that the GA Board took disciplinary action(s) against his license on or about January 7, 2010.

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 17<sup>th</sup> day of December 2010.

Ana M. Viamonte Ros, M.D., M.P.H.  
State Surgeon General



Jennifer L. Friedberg  
Assistant General Counsel  
DOH, Prosecution Services Unit  
4052 Bald Cypress Way, Bin C-65  
Tallahassee, Florida 32399-3265  
Florida Bar No. 0021640  
Telephone: (850) 245-4640  
Facsimile: (850) 245-4681

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PCP: December 17, 2010

PCP Members: Georges El-Bahri, M.D.; Frank F. Farmer M.D.; and  
Mr. Donald Mullins

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**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 to any other discipline imposed.**