

**STATE OF FLORIDA  
DEPARTMENT OF HEALTH**

**DEPARTMENT OF HEALTH,**

**PETITIONER,**

**v.**

**CASE NO.: 2016-14427**

**TAHA R. SHAIKH, M.D.,**

**RESPONDENT.**

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**ADMINISTRATIVE COMPLAINT**

Petitioner Department of Health files this Administrative Complaint before the Board of Medicine against Respondent Taha R. Shaikh, M.D., and in support thereof alleges:

1. Petitioner is the state agency 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 95040.

3. Respondent's address of record is 12665 NW 76th Street, Parkland, Florida 33076.

4. Respondent is board certified in emergency medicine.
5. On or about April 28, 2015, Patient D.R., a then sixty-nine year old female, presented to the emergency department of Holy Cross Hospital with complaints of nausea and vomiting, which had persisted for two to three days.
6. Patient D.R. reported that members of her family had recently experienced similar symptoms.
7. Patient D.R. presented with a history of diabetes and high blood pressure.
8. Respondent, Patient D.R.'s attending physician, ordered a general chemistry lab.
9. Patient D.R.'s lab work revealed a high blood glucose level of 383 with a reference range of 65-99.
10. Patient D.R.'s lab work also showed that Patient D.R.'s carbon dioxide level was low at 15 with a reference range of 21-32.
11. Patient D.R.'s low carbon dioxide level indicated possible acidosis.
12. Respondent treated Patient D.R. with insulin and nausea medication and discharged her.

13. Respondent did not further investigate Patient D.R.'s low carbon dioxide level.

14. Respondent did not assess Patient D.R. for diabetic ketoacidosis.

15. On or about April 29, 2015, Patient D.R. returned to the emergency room of Holy Cross Hospital with recurrent nausea, vomiting, and worsening shortness of breath.

16. Patient D.R. was diagnosed with diabetic ketoacidosis and severe sepsis.

17. Patient D.R.'s condition deteriorated, and she expired in the hospital on or about May 4, 2015.

18. At all times material to this complaint, the prevailing professional standard of care dictated that a physician treating a patient like Patient D.R. further investigate a low carbon dioxide level by ordering additional laboratory studies to include any of the following: serum ketones, serum beta-hydroxybutyrate, or serum pH.

19. Section 458.331(1)(t), Florida Statutes (2014), subjects a licensee to discipline for committing medical malpractice as defined in Section 456.50, Florida Statutes. Section 456.50(1)(g), Florida Statutes

(2014), states medical malpractice means the failure to practice medicine in accordance with the level of care, skill, and treatment recognized in general law related to health care licensure. Section 766.102, Florida Statutes (2014), provides that the prevailing standard of care for a given healthcare provider shall be that level of care, skill, and treatment which, in light of all relevant surrounding circumstances, is recognized as acceptable and appropriate by reasonably prudent similar health care providers.

20. Respondent fell below the standard of care in his treatment of Patient D.R. by failing to further investigate D.R.'s low carbon dioxide level by failing to order any of the following laboratory studies: serum ketones, serum beta-hydroxybutyrate, or serum pH.

21. Based on the foregoing, Respondent violated Section 458.331(1)(t), Florida Statutes (2014).

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 5th day of October, 2017.

Celeste Philip, MD, MPH  
Surgeon General and Secretary

*Chad Dunn*

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Assistant General Counsel  
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FILED  
DEPARTMENT OF HEALTH  
DEPUTY CLERK

CLERK **Amber Greene**  
DATE **OCT 05 2017**

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CD/ln

PCP Date: September 29, 2017

PCP Members: Georges El-Bahri, M.D., Sarvam Terkonda, M.D., and Mr. Nicholas Romanello

## **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.**

**A request or petition for an administrative hearing must be in writing and must be received by the Department within 21 days from the day Respondent received the Administrative Complaint, pursuant to Rule 28-106.111(2), Florida Administrative Code. If Respondent fails to request a hearing within 21 days of receipt of this Administrative Complaint, Respondent waives the right to request a hearing on the facts alleged in this Administrative Complaint pursuant to Rule 28-106.111(4), Florida Administrative Code. Any request for an administrative proceeding to challenge or contest the material facts or charges contained in the Administrative Complaint must conform to Rule 28-106.2015(5), Florida Administrative Code.**

**Mediation under Section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.**

## **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.**