

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

Petitioner,

v.

Case No. 2016-11001

SCOTT DANA GUSTAFSON PERRIN, M.D.,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

Petitioner Department of Health files this Administrative Complaint before the Board of Medicine against Respondent, Scott Dana Gustafson Perrin, 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, and Chapters 456 and 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 105532.
3. Respondent's address of record is 2700 University Square Drive, Tampa, FL 33612.

4. On or about January 21, 2014, Patient L.R., an eighty-five (85) year old female, was admitted into Sarasota Memorial Hospital with complaints of lower back pain and chest pain.

5. Patient L.R.'s medication list, at the time of her admission, listed a prescription for seventy-five (75) mg of Plavix daily.

6. On or about January 23, 2014, Respondent performed an epidural steroid injection on Patient L.R. while she was taking Plavix.

7. Shortly after the procedure, Patient L.R. developed an abrupt sudden onset of diffuse abdominal pain with nausea, vomiting and a large retroperitoneal hematoma extending from the left upper abdomen into the pelvis.

8. Patient L.R. also had a stroke among other complications.

9. At all times material to this complaint, the prevailing professional standard of care required a physician to not perform an epidural injection on a patient while the patient had been receiving antiplatelet therapy for a significant period of time.

10. Section 458.331(1)(t)1, Florida Statutes (2013), subjects a physician to discipline for committing medical malpractice as defined in Section 456.50, Florida Statutes. Medical malpractice is defined by Section

456.50(1)(g), Florida Statutes (2013), as 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(1), Florida Statutes (2013), provides that the prevailing professional standard of care for a given health care 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.

11. Respondent fell below the prevailing professional standard of care by performing an epidural injection on a patient who had been receiving antiplatelet therapy (75 mg of Plavix daily) for a significant period of time.

12. Based on the foregoing, Respondent violated Section 458.331(1)(t)1, Florida Statutes (2013).

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, 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.

[Signature on the following page]

SIGNED this 24th day of October, 2017.

Celeste Philip, MD, MPH
Surgeon General and Secretary

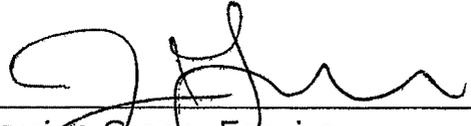
FILED

DEPARTMENT OF HEALTH
DEPUTY CLERK

CLERK.

Amber Greene

DATE OCT 24 2017


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JG/sdm

PCP Date: 10/23/2017

PCP Members: Dr. Avila, Dr. Rosenberg, Mr. Mullins

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.