

**STATE OF FLORIDA  
DEPARTMENT OF HEALTH**

**DEPARTMENT OF HEALTH,**

**PETITIONER,**

**v.**

**CASE NO. 2016-10672**

**CLAUDIA YASMIN RODRIGUEZ GALVIS, M.D.,**

**RESPONDENT.**

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**ADMINISTRATIVE COMPLAINT**

Petitioner, Department of Health, by and through its undersigned counsel, files this Administrative Complaint ("Complaint") before the Board of Medicine ("Board") against Respondent, Claudia Yasmin Rodriguez Galvis, M.D., and 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 100686.

3. Respondent's address of record is 3001 NE 185<sup>th</sup> Street, Apt. 523, Aventura, Florida 33180.

4. Respondent is board certified in psychiatry and neurology by the American Board of Psychiatry and Neurology and addiction medicine by the American Board of Addiction Medicine.

5. At all times material to this Complaint, Respondent was employed at Henderson Behavioral Health Crisis Stabilization Unit (hereinafter "Henderson Behavioral").

6. On or about March 27, 2013, Patient J.P., a then 44 year-old female, presented to Henderson Behavioral after being Baker Acted for depression and psychosis.

7. Upon Patient J.P.'s admission to Henderson Behavioral, Respondent was called for medication orders.

8. Respondent called back approximately one (1) hour later and ordered Seroquel<sup>1</sup> 200mg at bedtime, among other medication orders.

9. Shortly after administration of the Seroquel, Patient J.P. experienced an episode of syncope and fell forward, sustaining a loss of consciousness, lacerations to her face, and a broken jaw.

10. The prevailing professional standard of care required the Respondent to order an initial dose of 50mg or less of Seroquel and titrate the dosage up as needed.

11. Section 458.331(1)(t), Florida Statutes (2012), subjects a doctor to discipline for committing medical malpractice as defined in Section 456.50. Section 456.50, Florida Statutes (2012), defines medical malpractice 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.

12. Level of care, skill, and treatment recognized in general law related to health care licensure means the standard of care specified in Section 766.102. Section 766.102(1), Florida Statutes (2012), defines the standard of care to mean "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."

13. Respondent failed to meet the prevailing professional standard of care regarding the treatment of Patient J.P. by ordering an initial dose of 200mg of Seroquel, instead of ordering 50mg or less and titrating the dosage up as needed.

14. Based on the foregoing, Respondent has violated Section 458.331(1)(t), Florida Statutes (2012), by committing medical malpractice.

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<sup>1</sup> Seroquel is the brand name for quetiapine, an anti-psychotic medication that is used to treat schizophrenia.

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 23<sup>RD</sup> day of OCTOBER, 2017.

Celeste Philip, MD, MPH  
Surgeon General and Secretary



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**FILED**

DEPARTMENT OF HEALTH  
DEPUTY CLERK

CLERK. *Amber Greene*

DATE OCT 24 2017

SEC/

PCP: October 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.

Please be advised that mediation under Section 120.573, Florida Statutes, is not available for administrative disputes involving this agency action.

## 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.