

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

Petitioner,

v.

CASE NO.: 2015-17607

ANGELA D. FLIPPIN, M.D.,

Respondent.

ADMINISTRATIVE COMPLAINT

Petitioner Department of Health files this Administrative Complaint before the Board of Medicine against Respondent Angela D. Flippin, 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 85066.
3. Respondent's address of record is 10502 Smokehouse Bay Drive, #201, Naples, Florida 34102.

4. On or about September 7, 2012, at 20:00, Patient R.J., a 27 year old female, presented to the Physician's Regional Medical Center with a complaint of early labor.

5. Patient R.J. had a history of anemia.

6. At or about 20:50, a biophysical profile¹ was ordered for Patient R.J. due to heart tracing concerns for the fetus.

7. By the time Patient R.J. arrived back from her biophysical profile, she was found to have made cervical changes from 1-1/2 cm to 4 cm, and she then very rapidly went from 4 cm to 9 cm.

8. At or about 23:15, Patient R.J.'s membranes were artificially ruptured and meconium stained fluid was obtained. At this time, the cervix was now completely dilated.

9. At or about 23:55, Respondent applied a fetal scalp lead to better evaluate the monitor tracing.

10. At or about 00:15, Respondent then called in additional medical personnel and proceeded to apply a Kiwi vacuum extractor².

11. At or about 00:17, a second vacuum was applied and at or about 00:25 a third vacuum was applied.

¹ This test measures the health of the mother's fetus during pregnancy.

² Tool used to assist fetal delivery.

12. At or about 00:27, the fetus was delivered with the baby weighing 9 pounds and 8 ounces.

13. Patient R.J. then experienced a severe postpartum hemorrhage, and the Respondent inspected the cervix and found there to be no lacerations. Subsequently, Respondent used appropriate medications to cause the uterus to clamp down.

14. At or about 00:45, the Respondent repaired episiotomy and third degree perineal laceration, and the uterus was still boggy in spite of the medications and the bleeding continued.

15. At or about 01:00, the uterus was described as firm, the bleeding had decreased and Patient R.J. was sleepy but responsive.

16. At or about 01:15, Patient R.J. had a steady trickle of Lochia³ resulting in the Respondent being called back into the room.

17. At or about 01:20, Respondent performed a repair of laceration.

18. At or about 01:25, Patient R.J. was administered a foley catheter per Respondent's instructions.

19. At or about 01:35, following repair of the laceration, Patient R.J. was bleeding dark red blood vaginally. Additionally, Patient R.J. was hypotensive and lethargic.

³ Lochia is the vaginal discharge after birth consisting of blood and tissue.

20. Sometime after 01:35 but before 02:10, Respondent left the hospital.

21. At or about 02:00, Patient R.J. continued to bleed vaginally small to moderately.

22. At or about 02:10, Patient R.J.'s family called medical staff to the room due to Patient R.J. "acting funny" as Patient R.J. was lying on her stomach and moving her legs and moaning that she was hurting but would not say where.

23. At or about 02:10, Patient R.J. was noted to have bloody fluid in the foley catheter.

24. Respondent was not present in the hospital at this time. Respondent was informed of Patient R.J.'s behavior and the continuation of her steady trickle of blood.

25. At or about 02:25, a registered nurse stayed in the room with Patient R.J. as Patient R.J. became more combative and a large amount of blood poured from Patient R.J.'s vagina.

26. At or about 2:25, Respondent was called to return to the hospital.

27. At an identified time, Respondent was called again to ensure she was on her way back to the hospital.

28. At or about 02:55, Respondent arrived back in the hospital room with Patient R.J.

29. At or about 03:14, Patient R.J. became unresponsive and code blue was called. Patient R.J. experienced cardiac arrest and cardiopulmonary resuscitation was started.

30. At or about 06:03, Patient R.J. was pronounced dead.

31. At all times material to the charge set forth herein, the prevailing professional standard of care required Respondent to:

- a.) determine the source of the bleeding for a patient who has been bleeding heavily after a vaginal delivery;
- b.) transfer the patient to the operating room for evaluation; and/or
- c.) remain at the physical location of the hospital to monitor a patient who had been bleeding continuously.

32. Section 458.331(1)(t), Florida Statutes (2012), subjects a licensee to discipline for committing medical malpractice as defined in Section 456.50(1)(g), Florida Statutes. Section 456.50(1)(g), Florida Statutes (2012), 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 (2012), 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.

33. The Respondent failed to meet the standard of care for Patient R.J. by:

- a. failing to determine the source of Patient R.J.'s bleeding;
- b. failing to transfer Patient R.J. to the operating room for evaluation; and/or
- c. failing to remain at the physical location of the hospital to monitor Patient R.J.

34. Based on the foregoing, Respondent violated Section 458.331(1)(t), Florida Statutes (2012), in her treatment of Patient R.J.

WHEREFORE, 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.

[Signature appears on the following page.]

SIGNED this 27th day of February, 2017.

Celeste Phillip, M.D., M.P.H.
Surgeon General and Secretary



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FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK **Amber Greene**
DATE **MAR 01 2017**

PCP: 02/24/17

PCP Members: Dr. El-Bahri, Dr. Ramesh, Mr. 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.