

1 BEFORE THE ARIZONA MEDICAL BOARD

2 In the Matter of

3 **VILAS DESHPANDE, M.D.**

4 Holder of License No. 20706
5 For the Practice of Allopathic Medicine
6 In the State of Arizona

Case No. MD-05-0482A

**CONSENT AGREEMENT FOR
LETTER OF REPRIMAND**

7 **CONSENT AGREEMENT**

8 By mutual agreement and understanding, between the Arizona Medical Board
9 ("Board") and Vilas Deshpande, M.D. ("Respondent"), the parties agreed to the following
10 disposition of this matter.

11 1. Respondent has read and understands this Consent Agreement and the
12 stipulated Findings of Fact, Conclusions of Law and Order ("Consent Agreement").
13 Respondent acknowledges that he has the right to consult with legal counsel regarding
14 this matter.

15 2. By entering into this Consent Agreement, Respondent voluntarily
16 relinquishes any rights to a hearing or judicial review in state or federal court on the
17 matters alleged, or to challenge this Consent Agreement in its entirety as issued by the
18 Board, and waives any other cause of action related thereto or arising from said Consent
19 Agreement.

20 3. This Consent Agreement is not effective until approved by the Board and
21 signed by its Executive Director.

22 4. The Board may adopt this Consent Agreement of any part thereof. This
23 Consent Agreement, or any part thereof, may be considered in any future disciplinary
24 action against Respondent.

25 5. This Consent Agreement does not constitute a dismissal or resolution of other
matters currently pending before the Board, if any, and does not constitute any waiver,

1 express or implied, of the Board's statutory authority or jurisdiction regarding any other
2 pending or future investigation, action or proceeding. The acceptance of this Consent
3 Agreement does not preclude any other agency, subdivision or officer of this State from
4 instituting other civil or criminal proceedings with respect to the conduct that is the subject
5 of this Consent Agreement.

6 6. All admissions made by Respondent are solely for final disposition of this
7 matter and any subsequent related administrative proceedings or civil litigation involving
8 the Board and Respondent. Therefore, said admissions by Respondent are not intended
9 or made for any other use, such as in the context of another state or federal government
10 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
11 any other state or federal court.

12 7. Upon signing this agreement, and returning this document (or a copy thereof) to
13 the Board's Executive Director, Respondent may not revoke the acceptance of the
14 Consent Agreement. Respondent may not make any modifications to the document. Any
15 modifications to this original document are ineffective and void unless mutually approved
16 by the parties.

17 8. If the Board does not adopt this Consent Agreement, Respondent will not
18 assert as a defense that the Board's consideration of this Consent Agreement constitutes
19 bias, prejudice, prejudgment or other similar defense.

20 9. This Consent Agreement, once approved and signed, is a public record that will
21 be publicly disseminated as a formal action of the Board and will be reported to the
22 National Practitioner Data Bank and to the Arizona Medical Board's website.

23 10. If any part of the Consent Agreement is later declared void or otherwise
24 unenforceable, the remainder of the Consent Agreement in its entirety shall remain in force
25 and effect.

1 11. Any violation of this Consent Agreement constitutes unprofessional conduct
2 and may result in disciplinary action. A.R.S. § § 32-1401(27)(r) (“[v]iolating a formal order,
3 probation, consent agreement or stipulation issued or entered into by the board or its
4 executive director under this chapter”) and 32-1451.

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8 VILAS DESHPANDE, M.D.

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DATED: 02/27/2007

FINDINGS OF FACT

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2 1. The Board is the duly constituted authority for the regulation and control of
3 the practice of allopathic medicine in the State of Arizona.

4 2. Respondent is the holder of license number 20706 for the practice of
5 allopathic medicine in the State of Arizona.

6 3. The Board initiated case number MD-05-0482A after receiving notification of
7 an action taken by the Florida Board of Medicine ("Florida Board") regarding Respondent's
8 care and treatment of a female patient ("JT"), age unknown.

9 4. On March 27, 2003 Respondent performed a biopsy on JT's left breast and
10 diagnosed her as having a high grade ductal carcinoma in situ, comedo and solid state.
11 Respondent informed JT of his findings and recommended JT have a modified radical
12 mastectomy of her left breast. He also recommended a simple mastectomy of her right
13 breast to reduce the risk of cancer in her right breast. JT consented to the procedures.

14 5. On April 10, 2003 JT presented to Respondent for the planned bilateral
15 mastectomies. Respondent's records correctly reflected on which side to carry out each
16 procedure, but he performed the simple mastectomy on the left side and the modified
17 radical mastectomy on the right side based on incorrect instructions provided by his office
18 staff when they scheduled the procedure. JT required a subsequent surgery on March 27,
19 2003 to remove the cancerous lymph nodes in her left breast.

20 6. On December 16, 2004 Respondent entered into a consent agreement with
21 Florida Board for a disciplinary Letter of Concern, an administrative penalty of ten
22 thousand dollars, fifty hours community service and five hours continuing medical
23 education in risk management. The Florida Board Order is incorporated by reference.

1 CONCLUSIONS OF LAW

2 1. The Board possesses jurisdiction over the subject matter hereof and over
3 Respondent.

4 2. The conduct and circumstances described above constitute unprofessional
5 conduct pursuant to A.R.S. § 32-1401(27)(o) (“[a]ction that is taken against a doctor of
6 medicine by another licensing or regulatory jurisdiction . . . for unprofessional conduct as
7 defined by that jurisdiction and that corresponds directly or indirectly to an act of
8 unprofessional conduct prescribed by this paragraph. The action taken may include
9 refusing, denying, revoking or suspending a license by that jurisdiction or a surrendering of
10 a license to that jurisdiction, otherwise limiting, restricting or monitoring a licensee by that
11 jurisdiction or placing a licensee on probation by that jurisdiction”); A.R.S. § 32-
12 1401(27)(q) (“[a]ny conduct or practice that is or might be harmful or dangerous to the
13 health of the patient or the public”) and A.R.S. § 32-1401 (27)(II) (“[c]onduct that the board
14 determines is gross negligence, repeated negligence or negligence resulting in harm to or
15 the death of a patient.”).

16 ORDER

17 IT IS HEREBY ORDERED THAT:

18 1. Respondent is issued a Letter of Reprimand performing surgery on the
19 wrong site.

20 2. This Order is the final disposition of case number MD-05-0482A.

21 DATED AND EFFECTIVE this 13th day of April, 2007.

22 ARIZONA MEDICAL BOARD

23 (SEAL)



24 By

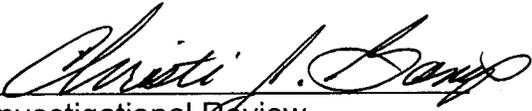
25 TIMOTHY C. MILLER, J.D.
Executive Director

1 ORIGINAL of the foregoing filed
2 this 13th day of April, 2007 with:

3 Arizona Medical Board
4 9545 E. Doubletree Ranch Road
5 Scottsdale, AZ 85258

6 EXECUTED COPY of the foregoing mailed
7 this 13th day of April, 2007 to:

8 Vilas Desphande, M.D.
9 Address of Record

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Investigational Review

(2)

Final Order No. DOH-04-1555-S-MQA
FILED DATE - 12-30-04
Department of Health
By: Nicole Smith
Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF MEDICINE

DEPARTMENT OF HEALTH,
Petitioner,

vs.

DOH CASE NO.: 2003-15349
LICENSE NO.: ME0059528

VILAS DESHPANDE, M.D.,
Respondent.

FINAL ORDER

THIS CAUSE came before the BOARD OF MEDICINE (Board) pursuant to Sections 120.569 and 120.57(4), Florida Statutes, on December 3, 2004, in Orlando, Florida, for the purpose of considering a Consent Agreement (attached hereto as Exhibit A) entered into between the parties in this cause. Upon consideration of the Consent Agreement, the documents submitted in support thereof, the arguments of the parties, and being otherwise fully advised in the premises,

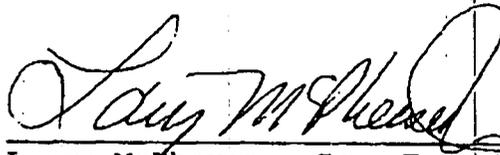
IT IS HEREBY ORDERED AND ADJUDGED that the Consent Agreement as submitted be and is hereby approved and adopted in toto and incorporated herein by reference. Accordingly, the parties shall adhere to and abide by all the terms and conditions of the Consent Agreement.

This Final Order shall take effect upon being filed with the Clerk of the Department of Health.

DONE AND ORDERED this 16 day of DECEMBER,

2004.

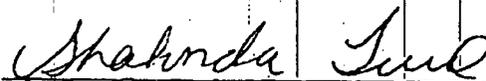
BOARD OF MEDICINE



Larry McPherson, Jr., Executive Director
for Elisabeth Tucker, M.D., Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to VILAS DESHPANDE, M.D., 5800 49th Street North, Ste. 202-S, St. Petersburg, Florida 33709; to Christopher Schulte, Esquire, P.O. Box 1772, Tampa, Florida 33601-1772; and by interoffice delivery to Denise O'Brien and Dana Baird, Department of Health, 4052 Bald Cypress Way, Bin #C-65, Tallahassee, Florida 32399-3253 this 17th day of December, 2004.



Deputy Agency Clerk

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

PRACTITIONER REGULATION
LEGAL

2004 OCT -6 AM 11:31

DEPARTMENT OF HEALTH,

Petitioner,

v.

DOH Case No. 2003-15349

Vilas Desphande, M.D.

Respondent.

CONSENT AGREEMENT

Vilas Desphande, M.D., referred to as the "Respondent," and the Department of Health, referred to as "Department" stipulate and agree to the following Agreement and to the entry of a Final Order of the Board of Medicine, referred to as "Board," incorporating the Stipulated Facts and Stipulated Disposition in this matter.

Petitioner is a state agency charged with regulating the practice of medicine pursuant to Section 20.43, Florida Statutes, and Chapter 456, Florida Statutes, and Chapter 458, Florida Statutes.

STIPULATED FACTS

1. At all times material hereto, Respondent was a licensed physician in the State of Florida having been issued license number ME 59528.

2. The Department charged Respondent with an Administrative Complaint that was filed and properly served upon Respondent with violations of Chapter 458, Florida Statutes, and the rules adopted pursuant thereto. A true and correct copy of the Administrative Complaint is attached hereto as Exhibit A.

3. Respondent neither admits nor denies the allegations of fact contained in the Administrative Complaint for purposes of these proceedings only.

STIPULATED CONCLUSIONS OF LAW

1. Respondent admits that, in his capacity as a licensed physician, he is subject to the provisions of Chapters 456 and 458, Florida Statutes, and the jurisdiction of the Department and the Board.

2. Respondent admits that the facts alleged in the Administrative Complaint, if proven, would constitute violations of

Chapter 458, Florida Statutes, as alleged in the Administrative Complaint.

3. Respondent agrees that the Stipulated Disposition in this case is fair, appropriate and acceptable to Respondent.

STIPULATED DISPOSITION

1. **Letter Of Concern** - Respondent shall receive a Letter of Concern from the Board of Medicine.

2. **Fine** - The Board of Medicine shall impose an administrative fine of ten thousand dollars (\$10,000.00) against the license of Respondent, to be paid by Respondent to the Department of Health, HMQAMS/Client Services, Post Office Box 6320, Tallahassee, Florida 32314-6320, Attention: Board of Medicine Compliance Officer, within thirty-days (30) of the Final Order accepting this Agreement. All fines shall be paid by check or money order. The Board office does not have the authority to change the terms of payment of any fine imposed by the Board.

RESPONDENT ACKNOWLEDGES THAT THE TIMELY PAYMENT OF THE FINE IS HIS LEGAL OBLIGATION AND RESPONSIBILITY AND RESPONDENT AGREES TO CEASE PRACTICING IF THE FINE

IS NOT PAID AS AGREED TO IN THIS CONSENT AGREEMENT, SPECIFICALLY: IF RESPONDENT HAS NOT RECEIVED WRITTEN CONFIRMATION THAT THE FULL AMOUNT OF THE FINE HAS BEEN RECEIVED BY THE BOARD OFFICE WITHIN 45 DAYS OF THE FILING OF THE FINAL ORDER, RESPONDENT AGREES TO CEASE PRACTICE UNTIL SUCH WRITTEN CONFIRMATION IS RECEIVED BY RESPONDENT FROM THE BOARD.

3. **Reimbursement Of Costs** - Pursuant to Section 458, Florida Statutes, Respondent agrees to pay the Department for any administrative costs incurred in the investigation and preparation of this case. Such costs include, but are not limited to obtaining supervision or monitoring of the practice, the cost of quality assurance reviews, and the Board's administrative cost directly associated with Respondent's probation, if any. The agreed upon amount of Department costs to be paid in this case is two thousand eight hundred sixty dollars and seventy-nine cents (\$2,860.79). Respondent will pay costs to the Department of Health, HMQAMS/Client Services, P.O. Box 6320, Tallahassee, Florida 32314-6320, Attention: Board of Medicine

Compliance Officer within thirty-days (30) from the entry of the Final Order in this cause.

RESPONDENT ACKNOWLEDGES THAT THE TIMELY PAYMENT OF THE COSTS IS HIS LEGAL OBLIGATION AND RESPONSIBILITY AND RESPONDENT AGREES TO CEASE PRACTICING IF THE COSTS ARE NOT PAID AS AGREED TO IN THIS CONSENT AGREEMENT, SPECIFICALLY: IF RESPONDENT HAS NOT RECEIVED WRITTEN CONFIRMATION THAT THE FULL AMOUNT OF THE COSTS NOTED ABOVE HAS BEEN RECEIVED BY THE BOARD OFFICE WITHIN 45 DAYS OF THE FILING OF THE FINAL ORDER, RESPONDENT AGREES TO CEASE PRACTICE UNTIL SUCH WRITTEN CONFIRMATION IS RECEIVED BY RESPONDENT FROM THE BOARD.

4. **Community Service** - Respondent shall perform fifty-(50) hours of community service, within one year of the filing of the Final Order. Community Service shall be defined as the delivery of medical services directly to patients, or the delivery of other volunteer services in the community, without fee or cost to the patient or the entity, for the good of the people of the State of Florida. Community service shall

be performed outside the physician's regular practice setting. Respondent shall submit a written plan for performance and completion of the community service to the Probation Committee for approval prior to performance of said community service. Affidavits detailing the completion of community service requirements shall be filed with the Board as required by the Probation Committee.

5. **Continuing Medical Education** - Within one year of the date of the filing of a Final Order in this cause, Respondent shall attend five (5) hours of Continuing Medical Education (CME) in Risk Management. Respondent shall submit documentation in the form of certified copies of the receipts, vouchers, certificates, or other papers, such as physician's recognition awards, documenting completion of this medical course within one (1) year of the entry of the Final Order in this matter. All such documentation shall be sent to the Board of Medicine, regardless of whether some or any of such documentation was provided previously during the course of any audit or discussion with counsel for the Department. These hours shall be in addition to those hours required for renewal of licensure. Unless otherwise

approved by the Board, said continuing medical education course shall consist of a formal, live lecture format.

6. **Lecture/Seminar** - During the next six (6) months following the filing date of a Final Order in this case, Respondent shall present a one (1) hour lecture/seminar on Wrong Site Surgeries. The lecture/seminar shall be presented to hospital staff at an approved medical facility in Florida. Respondent shall submit a written plan to the Board for approval prior to performance of said lecture/seminar. Respondent shall also provide written documentation to the Board that said lecture/seminar has been completed within six months of the filing of the Final Order in this case. Said documentation shall consist of a letter from the Risk Manager of the approved medical facility indicating that the lecture/seminar has been completed.

STANDARD PROVISIONS

7. **Appearance**: Respondent is required to appear before the Board at the meeting of the Board where this Agreement is considered.

8. **No force or effect until final order** - It is expressly understood that this Agreement is subject to the approval of the Board

and the Department. In this regard, the foregoing paragraphs (and only the foregoing paragraphs) shall have no force and effect unless the Board enters a Final Order incorporating the terms of this Agreement.

9. **Addresses** - Respondent must keep current residence and practice addresses on file with the Board. Respondent shall notify the Board within ten (10) days of any changes of said addresses.

10. **Future Conduct** - In the future, Respondent shall not violate Chapter 456, 458 or 893, Florida Statutes, or the rules promulgated pursuant thereto, or any other state or federal law, rule, or regulation relating to the practice or the ability to practice medicine.

11. **Violation of terms considered** - It is expressly understood that a violation of the terms of this Agreement shall be considered a violation of a Final Order of the Board, for which disciplinary action may be initiated pursuant to Chapters 456 and 458, Florida Statutes.

12. **Purpose of Agreement** - Respondent, for the purpose of avoiding further administrative action with respect to this cause, executes this Agreement. In this regard, Respondent authorizes the

Board to review and examine all investigative file materials concerning Respondent prior to or in conjunction with consideration of the Agreement. Respondent agrees to support this Agreement at the time it is presented to the Board and shall offer no evidence, testimony or argument that disputes or contravenes any stipulated fact or conclusion of law. Furthermore, should this Agreement not be accepted by the Board, it is agreed that presentation to and consideration of this Agreement and other documents and matters by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of these proceedings.

13. **No preclusion of additional proceedings** - Respondent and the Department fully understand that this Agreement and subsequent Final Order incorporating same will in no way preclude additional proceedings by the Board and/or the Department against Respondent for acts or omissions not specifically set forth in the Administrative Complaint attached as Exhibit A.

14. **Waiver of attorney's fees and costs** - Upon the Board's adoption of this Agreement, the parties hereby agree that with the exception of costs noted above, the parties will bear their own

attorney's fees and costs resulting from prosecution or defense of this matter. Respondent waives the right to seek any attorney's fees or costs from the Department and the Board in connection with this matter

15. **Waiver of further procedural steps** - Upon the Board's adoption of this Agreement, Respondent expressly waives all further procedural steps and expressly waives all rights to seek judicial review of or to otherwise challenge or contest the validity of the Agreement and the Final Order of the Board incorporating said Agreement.

SIGNED this 27th day of September 2004.



Vilas Desphande, M.D.

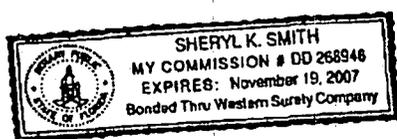
Before me, personally appeared Vilas Desphande,
whose identity is known to me by Florida Driver License
(type of identification) and who, under oath, acknowledges that his/her
signature appears above.

Sworn to and subscribed before me this 27th day of September,
2004.



NOTARY PUBLIC SHERYL K. SMITH

My Commission Expires:



APPROVED this 13th day of October, 2004.

John O. Agwunobi, M.D., M.B.A., M.P.H.
Secretary, Department of Health

Wings S. Benton

By: Wings S. Benton
Deputy General Counsel
Department of Health

(Desphande 2003-15349)

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NO. 2003-15349

VILAS DESHPANDE, M.D.,

RESPONDENT.

ADMINISTRATIVE COMPLAINT

Petitioner, Department of Health, by and through its undersigned counsel, files this Administrative Complaint before the Board of Medicine against Respondent, Vilas Deshpande, 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; and Chapter 456 and Chapter 458, Florida Statutes.

2. At all times material to this Complaint, Respondent was a licensed physician within the state of Florida and was issued license number ME 59528.

3. Respondent is board certified in General Surgery by the American Board of General Surgeons.

4. Respondent's address of record is 5800 49th St. North, Suite 202, St. Petersburg, Florida 33709.

5. Respondent first saw J.T. on or about February 24, 2003, for a consult at the request of Dr. Karcare because of an abnormal mammogram. Respondent was to evaluate J.T. for a biopsy for left breast calcifications.

6. On or about March 27, 2003, Respondent performed a biopsy on J.T.'s left breast at St. Petersburg General Hospital (SPGH). It proved to be a high grade ductal carcinoma in situ, comedo and solid state. Respondent advised Dr. Karcare that the biopsy of J.T.'s left breast showed she had aggressive cancer.

7. Respondent discussed with patient J.T. the options of removing only the left breast or removing both breasts to reduce the risk of cancer in the right breast. J.T. choose to have both breasts removed.

8. On or about April 10, 2003, J.T. was admitted to SPGH to undergo bilateral mastectomies: a right simple and a left modified radical. Respondent's office scheduled J.T. for the bilateral mastectomies, giving

the wrong side for the radical procedure even though Respondent's patient records reflect the correct side.

9. Respondent's pre-operative orders indicate that J.T. was to undergo a right modified radical mastectomy and a left simple mastectomy. His dictated patient History and Physical states that J.T. was being admitted for right modified radical mastectomy and left simple mastectomy. The report also identifies the biopsy as having been obtained from the patient's right breast. Respondent's operative report indicates that he performed the surgery as dictated and also identifies the cancer as having been found in the right breast.

10. The Pathology report indicates that the sample submitted as right breast included J.T.'s lymph nodes. The pathologist was unable to "appreciate" a distinct previous biopsy site on the patient's right breast and further sectioning was unable to reveal a previous biopsy cavity.

11. The specimen submitted as left breast did not include an axillary dissection. No dominant mass lesion is identified. The pathologist subsequently discovered that J.T. had cancer in her left breast and no cancer was found in her right breast or axillary lymph nodes.

12. Respondent first discovered the radical procedure was performed on the wrong side by reviewing the pathology report on April 14, 2003.

13. Respondent's discharge summary states that on the day of discharge, April 14, 2003, he saw J.T. in her room in the presence of the SPGH Risk Manager and a registered nurse and explained the oversight resulting in the radical modified mastectomy being performed on the right side instead of the left side.

14. J.T.'s wrong-side lymph node dissection by Respondent necessitated further surgery to dissect the lymph nodes on the left side, where cancer was identified on the March 27, 2003 biopsy.

15. Respondent knew the patient and was aware that J.T. had cancer in her left breast as he had performed the biopsy on J.T.'s left breast on March 27, 2003.

16. A letter dated April 22, 2003, to Respondent from J.T.'s oncologist, Dr. Kamath, advises that she had seen the patient and her final impression was that J.T. had carcinoma of the left breast. The letter also states that J.T. had a right axillary node dissection and a left axillary node dissection was pending.

17. On May 8, 2003, Respondent performed a left axillary dissection and insertion of an infusion port for chemotherapy on J.T.

COUNT ONE

18. Petitioner re-alleges and incorporates paragraphs one (1) through seventeen (17) as if fully set forth in this count.

19. Section 456.072(1)(aa), Florida Statutes (2002), provides that a health care practitioner may be subject to discipline by the Board of Medicine for performing or attempting to perform health care services on the wrong patient, a wrong-site procedure, a wrong procedure, or an unauthorized procedure or a procedure that is medically unnecessary or otherwise unrelated to the patient's diagnosis or medical condition.

20. Respondent performed a right modified radical mastectomy and a left simple mastectomy on patient J.T. when the correct procedure was a right simple mastectomy and a left modified radical mastectomy.

21. Based on the foregoing, Respondent violated Section 456.072(1)(aa), Florida Statutes (2002), by performing a wrong-site procedure and a wrong procedure that is medically unnecessary or otherwise unrelated to the patient's diagnosis or medical condition.

COUNT TWO

22. Petitioner re-alleges and incorporates paragraphs one (1) through seventeen (17) as if fully set forth in this count.

23. Section 458.331(1)(m), Florida Statutes (2002), provides that the failure to keep legible medical records that identify each diagnostic or treatment procedure and that justify the course of treatment of the patient, including, but not limited to, patient histories; examination results; test results; and reports of consultations and hospitalizations constitutes grounds for disciplinary action by the Board of medicine.

24. Respondent failed to keep accurate medical records in that Respondent's office notes reflect the correct side for the radical procedure but Respondent did not accurately record the correct radical mastectomy site for J.T. on the pre-operative orders, which resulted in wrong-site surgery.

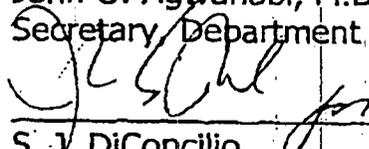
25. Based on the foregoing, Respondent has violated Section 458.331(1)(m), Florida Statutes (2002), by failing to keep legible medical records that identify each diagnostic or treatment procedure and that justify the course of treatment of the patient, including, but not limited to,

patient histories; examination results; test results; and reports of consultations and hospitalizations.

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 collected, remedial education and/or any other relief the Board deems appropriate.

SIGNED this 19th day of April, 2004.

John O. Agwunobi, M.D., M.B.A.
Secretary, Department of Health


S. J. DiConcilio
Assistant General Counsel
DOH Prosecution Services Unit
4052 Bald Cypress Way, Bin C-65
Tallahassee, FL 32399-3265
Florida Bar # 0949027
(850) 414-8126
(850) 414-1989 FAX


DEPARTMENT OF HEALTH
CLERK
Neather Coleman
DATE 4-20-04

/SJD

Reviewed and approved by: DKK (initials) 2/24/04 (date)

PCP: April 16, 2004

PCP Members: Leon, El Sanadi, Beebe

Vilas Deshpande, M.D.

DOH Case No. 2003-15349

Vilas Deshpande, M.D.

DOH Case No. 2003-15349

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.