BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:	)	
Mark R. LaFlamme, M.D.	)	**Case No. 800-2018-047253**
Physician's and Surgeon's Certificate No. C54887	)	
Respondent	)	

DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on March 5, 2020.

IT IS SO ORDERED February 4, 2020.

MEDICAL BOARD OF CALIFORNIA

By: Ronald H Lewis, MD

Ronald H. Lewis, M.D., Chair
Panel A

XAVIER BECERRA
Attorney General of California
JANE ZACK SIMON
Supervising Deputy Attorney General
State Bar No. 116564
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 510-3521
Facsimile: (415) 703-5480
E-mail: Janezack.simon@doj.ca.gov
Attorneys for Complainant

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against: **MARK R. LAFLAMME, M.D.** 701 W. Dr. Martin Luther King Jr. Blvd, Suite 5 Tampa, FL 33603 Physician's and Surgeon's Certificate No. C 54887 Respondent.	Case No. 800-2018-047253 **STIPULATED SETTLEMENT AND DISCIPLINARY ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-entitled proceedings that the following matters are true:

PARTIES

1. Christine J. Lally (Complainant) is the Interim Executive Director of the Medical Board of California (Board). This action was brought and maintained in the official capacity of the Board's Executive Director, who is represented by Xavier Becerra, Attorney General of the State of California, by Jane Zack Simon, Supervising Deputy Attorney General.

2. Respondent Mark R. LaFlamme, M.D. (Respondent) is represented in this proceeding by Robert F. Hahn of Gould & Hahn, 2550 Ninth Street Suite 101, Berkeley, CA 94710.

3. On September 28, 2011, the Board issued Physician's and Surgeon's Certificate No. C 54887 to Mark R. LaFlamme, M.D. The Physician's and Surgeon's Certificate is renewed and current.

JURISDICTION

4. Accusation No. 800-2018-047253 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent who timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 800-2018-047253 is attached as Exhibit A.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2018-047253. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

8. Respondent understands and agrees that the charges and allegations in Accusation No. 800-2018-047253, if proven at a hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's Certificate.

9. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual

basis for the charges in the Accusation, and that Respondent hereby gives up his right to contest those charges.

10. Respondent agrees that his Physician's and Surgeon's Certificate is subject to discipline and he agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order below.

CONTINGENCY

11. This stipulation shall be subject to approval by the Medical Board of California. Respondent understands and agrees that counsel for Complainant and the staff of the Medical Board of California may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

12. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

13. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

A. PUBLIC REPRIMAND

IT IS HEREBY ORDERED THAT respondent Mark R. LaFlamme, M.D., as holder of Physician's and Surgeon's Certificate No. C 54887, shall be and hereby is **publicly reprimanded** pursuant to Business and Professions Code section 2227. This Public Reprimand is issued as a result of the following:

On August 20, 2018, the Florida Board of Medicine issued a Letter of Concern against Respondent's Florida license. The Letter of Concern was based on Respondent's November 1, 2016 entry of a guilty plea to a charge of domestic violence battery, and failure to report the guilty plea/conviction to the Florida Board of Medicine. Respondent also failed to report the guilty plea/conviction to the Medical Board of California.

B. Professionalism Program (Ethics Course)

Within 60 calendar days of the effective date of this Decision, Respondent shall enroll in a professionalism program, that meets the requirements of Title 16, California Code of Regulations (CCR) section 1358. Respondent shall participate in and successfully complete that program. Respondent shall provide any information and documents that the program may deem pertinent. Respondent shall successfully complete the classroom component of the program not later than six (6) months after Respondent's initial enrollment, and the longitudinal component of the program not later than the time specified by the program, but no later than one (1) year after attending the classroom component. The professionalism program shall be at Respondent's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure. A professionalism program taken after the acts that gave rise to the charges in the Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board or its designee, be accepted towards the fulfillment of this condition if the program would have been approved by the Board or its designee had the program been taken after the effective date of this Decision.

Respondent shall submit a certification of successful completion to the Board or its designee not later than 15 calendar days after successfully completing the program or not later than 15 calendar days after the effective date of the Decision, whichever is later. If Respondent fails to enroll, participate in, or successfully complete the professionalism program within the designated time period, Respondent shall receive a notification from the Board or its designee to cease the practice of medicine within three (3) calendar days after being so notified. Respondent shall not resume the practice of medicine until he has completed the professionalism program.

Failure to enroll, participate in, or successfully complete the professionalism program within the designated time period shall constitute unprofessional conduct and grounds for further disciplinary action.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 12/11/2019

MARK R. LAFLAMME, M.D.
Respondent

I have read and fully discussed with Respondent Mark R. LaFlamme, M.D. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: _____

ROBERT F. HAHN
Gould & Hahn
Attorneys for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California.

DATED: 12/16/19

Respectfully submitted,

XAVIER BECERRA
Attorney General of California

JANE ZACK SIMON
Supervising Deputy Attorney General
Attorneys for Complainant

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: _____

MARK R. LAFLAMME, M.D.
Respondent

I have read and fully discussed with Respondent Mark R. LaFlamme, M.D. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 12-11-19

ROBERT F. HAHN
Gould & Hahn
Attorneys for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California.

DATED: _____

Respectfully submitted,

XAVIER BECERRA
Attorney General of California

JANE ZACK SIMON
Supervising Deputy Attorney General
Attorneys for Complainant

XAVIER BECERRA
Attorney General of California
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Attorneys for Complainant

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO MAY 30 2019
BY: ANALYST

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against: **Mark R. Laflamme, M.D.** **701 W Dr. MLK Jr Blvd.** **Suite 5** **Tampa, FL 33603** **Physician's and Surgeon's Certificate No. C 54887,** Respondent.	Case No. 800-2018-047253 **A C C U S A T I O N**

Complainant alleges:

PARTIES

1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board of California, Department of Consumer Affairs, and brings this Accusation solely in her official capacity.

2. On September 28, 2011, the Board issued Physician's and Surgeon's Certificate Number C 54887 to Mark R. Laflamme, M.D. (Respondent). The certificate is delinquent with an expiration date of June 30, 2015.

JURISDICTION

3. This Accusation is brought before the Medical Board of California (Board) under the authority of the following sections of the California Business and Professions Code (Code) and other relevant statutory enactments:

4. Section 2220 of the Code states:

"Except as otherwise provided by law, the board may take action against all persons guilty of violating [Chapter 5 of the Medical Practice Act]. The board shall enforce and administer this article as to physician and surgeon certificate holders, including those who hold certificates that do not permit them to practice medicine, such as, but not limited to, retired, inactive, or disabled status certificate holders, and the board shall have all the powers granted in this chapter for these purposes . . . ."

5. Section 2227 of the Code provides, in part, that the Board may revoke, suspend for a period not to exceed one year, or place on probation, the license of any licensee who has been found guilty under the Medical Practice Act, and may recover the costs of probation monitoring.

6. Section 2234 of the Code states:

"The board shall take action against any licensee who is charged with unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:

". . . (e) The commission of any act involving dishonesty or corruption that is substantially related to the qualifications, functions, or duties of a physician and surgeon.

7. Section 2236 of the Code states:

"(a) The conviction of any offense substantially related to the qualifications, functions, or duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this chapter. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred."

8. Section 2305 of the Code provides, in part, that the revocation, suspension, or other discipline, restriction or limitation imposed by another state upon a license to practice medicine issued by that state, or the revocation, suspension, or restriction of the authority to practice

medicine by any agency of the federal government, that would have been grounds for discipline in California under the Medical Practice Act, constitutes grounds for discipline for unprofessional conduct against the licensee in California.

9. Section 141 of the Code provides:

"(a) For any licensee holding a license issued by a board under the jurisdiction of the department, a disciplinary action taken by another state, by any agency of the federal government, or by another country for any act substantially related to the practice regulated by the California license, may be a ground for disciplinary action by the respective state licensing board. A certified copy of the record of the disciplinary action taken against the licensee by another state, an agency of the federal government, or another country shall be conclusive evidence of the events related therein."

"(b) Nothing in this section shall preclude a board from applying a specific statutory provision in the licensing act administered by that board that provides for discipline based upon a disciplinary action taken against the licensee by another state, an agency of the federal government, or another country."

10. Section 802.1 of the Code requires physicians to report all convictions of felonies or misdemeanors to the Board within 30 days of the conviction. Failure to make the required repot is a public offense.

CAUSE FOR DISCIPLINE

(Discipline, Restriction, or Limitation Imposed by another State)

11. On August 20, 2018, a Final Order from the Florida Board of Medicine (Florida Board) became effective. A copy of the Final Order issued by the Florida Board is attached to this Accusation as Exhibit A.

12. The Final Order issued a Letter of Concern against Respondent's license. The Florida Board also imposed an administrative fine of $2,500 against Respondent's license and ordered that Respondent reimburse the Florida Board's costs incurred in the investigation and prosecution of the case. Finally, the Florida Board ordered that Respondent complete a Board-approved laws and rules course.

13. The Final Order adopted a Settlement Agreement in which Respondent admitted that the facts alleged in the Administrative Complaint, if proven, would constitute violations of the statutes governing the Florida Board's regulation of medical licensure. The Administrative Complaint alleged that on November 1, 2016, Respondent was found guilty of domestic violence battery, pursuant to Florida Statute section 784.03(1), in the County Court in and for Hillsborough County, Florida, in case number 16-CM-011267-A. The Administrative Complaint further alleged that Respondent did not report the guilty verdict to the Florida Board, in writing, within thirty days—contrary to the requirements of Florida Statute section 456.072(1)(x).

14. Respondent's conduct and the action of the Florida Board as set forth above constitute unprofessional conduct within the meaning of section 2305 and conduct subject to discipline within the meaning of section 141(a).

SECOND CAUSE FOR DISCIPLINE

(Unprofessional Conduct - Conviction of Crime/Spousal Abuse)

15. Respondent is subject to disciplinary action under Code sections 2234 [unprofessional conduct] and/or 2236 [conviction of crime] in that on November 1, 2016, Respondent was found guilty of domestic violence battery, pursuant to Florida Statute section 784.03(1) [battery]. The circumstances are as follows:

16. On August 26, 2016, in the context of a marital dispute, Respondent became physically violent with his spouse.

17. On November 1, 2016, Respondent was found guilty of domestic violence battery, pursuant to Florida Statute section 784.03(1). Among other items, Respondent was ordered to have no contact with the victim.

THIRD CAUSE FOR DISCIPLINE

(Failure to Report Conviction)

18. Respondent is subject to disciplinary action in that he failed to report his domestic violence battery conviction to the Board within 30 days, in violation of section 802.1.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board issue a decision:

1. Revoking or suspending Physician's and Surgeon's Certificate Number C 54887, issued to Mark R. Laflamme, M.D.;

2. Revoking, suspending or denying approval of Mark R. Laflamme, M.D.'s authority to supervise physician assistants and advanced practice nurses;

3. Ordering Mark R. Laflamme, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and

4. Taking such other and further action as deemed necessary and proper.

DATED: May 30, 2019

KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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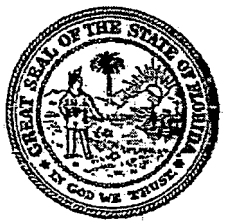
21433736.docx

EXHIBIT A

CERTIFICATION OF PUBLIC RECORD(S)

I, **Jill Thompson**, hereby certify that I am an official custodian of records for the Florida Department of Health, Division of Medical Quality Assurance. I hereby verify that I have conducted a thorough search of the official records of the Division of Medical Quality Assurance and have determined that the attached records consisting of **14 (FOURTEEN)** pages, are true, correct and complete copies of **MARK RICHARD LAFLAMME, ME101995**. I further certify that these records are received and required to be filed or recorded, are actually filed or recorded, and originals are maintained in the public office of the Division of Medical Quality Assurance. The attached is a regularly received and retained record in the ordinary course of business. This certification is made pursuant to Sections 90.803(8), and 90.902(4), Florida Statutes (2016).



Jill Thompson 9/21/18
Jill Thompson Date
Public Records Custodian

STATE OF FLORIDA
COUNTY OF LEON

Before me, personally appeared Jill Thompson whose identity is personally known to me, and who, acknowledges that his/her signature appears above.

Sworn and subscribed to, before me, this 21 day of September, 2018.

Lawanda M. Bell
Signature-Notary Public-State of Florida

LAWANDA M. BELL
MY COMMISSION # FF969275
EXPIRES May 09, 2020
(407) 398-0153 FloridaNotaryService.com
Notary Printed Name

Final Order No. DOH-18-1395-S -MQA
FILED DATE: AUG 20 2018
Department of Health
By Amy L. Carraway
Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF MEDICINE

DEPARTMENT OF HEALTH,

Petitioner,

vs.

DOH CASE NO.: 2016-27793
LICENSE NO.: ME0101995

MARK RICHARD LAFLAMME, 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 August 3, 2018, in Fort Lauderdale, Florida, for the purpose of considering a Settlement Agreement (attached hereto as Exhibit A) entered into between the parties in this cause. Upon consideration of the Settlement 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 Settlement Agreement as submitted be and is hereby approved and adopted in toto and incorporated herein by reference with the following clarification:

The costs set forth in Paragraph 3 of the Stipulated Disposition shall be set at $6,805.54.

Accordingly, the parties shall adhere to and abide by all the terms and conditions of the Settlement Agreement as clarified above.

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

DONE AND ORDERED this 17th day of August, 2018.

BOARD OF MEDICINE

Claudia Kemp

Claudia Kemp, J.D., Executive Director
For Jorge J. Lopez, 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 MARK RICHARD LAFLAMME, M.D., 3690 West Gandy Boulevard, Suite 434, Tampa, Florida 33611; to Joseph A. Corsmeier, Esquire, 29605 U. S. Highway 19 North, Suite 150, Clearwater, Florida 33761; by email to Allison Dudley, Assistant General Counsel, Department of Health, at Allison.Dudley@flhealth.gov; and by email to Edward A. Tellechea, Chief Assistant Attorney General, at

Ed.Tellechea@myfloridalegal.com this 20th day of August, 2018.

Amy L. Carraway

Deputy Agency Clerk

STATE OF FLORIDA
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH,

Petitioner,

v. **DOH Case No. 2016-27793**

MARK RICHARD LAFLAMME, M.D.,

Respondent.

_____/

SETTLEMENT AGREEMENT

Mark Richard Laflamme, 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 the 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 101995.

2. The Department charged Respondent with an Administrative Complaint that was filed and properly served upon Respondent alleging 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. For purposes of these proceedings, Respondent neither admits nor denies the allegations of fact contained in the Administrative Complaint.

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.

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

STIPULATED DISPOSITION

1. **Letter Of Concern** – The Board shall issue a Letter of Concern against Respondent's license.

2. **Fine** - The Board shall impose an administrative fine of ***Two Thousand Five Hundred Dollars and Zero Cents ($2,500.00)*** against Respondent's license which Respondent shall pay to: Payments, Department of Health, Compliance Management Unit, Bin C-76, P.O. Box 6320, Tallahassee, FL 32314-6320, within ninety (90) days from the date of filing of the Final Order accepting this Agreement ("Final Order"). **All fines shall be paid by cashier's check or money order.** Any change in the terms of payment of any fine imposed by the Board **must be approved in advance by the Probation Committee of 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 IN THIS SETTLEMENT AGREEMENT. SPECIFICALLY, IF RESPONDENT HAS NOT RECEIVED WRITTEN CONFIRMATION WITHIN 105 DAYS OF THE DATE OF FILING OF THE FINAL ORDER THAT THE FULL AMOUNT OF THE FINE HAS BEEN RECEIVED BY THE BOARD OFFICE, RESPONDENT AGREES TO CEASE PRACTICE UNTIL RESPONDENT RECEIVES SUCH WRITTEN CONFIRMATION FROM THE BOARD.

3. **Reimbursement of Costs** - Pursuant to section 456.072, Florida Statutes, Respondent agrees to pay the Department for the Department's costs incurred in the investigation and prosecution of this case ("Department costs"). Such costs exclude the costs of obtaining supervision or monitoring of the practice, the cost of quality assurance reviews, any other costs Respondent incurs to comply with the Final Order, and the Board's administrative costs directly associated with Respondent's probation, if any. Respondent agrees that the amount of Department costs to be paid in this case is ***Six Thousand One Hundred Fifty-One Dollars and Sixteen Cents ($6,151.16), but shall not exceed Eight Thousand One Hundred Fifty-One Dollars and Sixteen Cents ($8,151.16).*** Respondent will pay such Department costs to: Payments, Department of Health, Compliance Management Unit, Bin C-76, P.O. Box 6320, Tallahassee, FL 32314-6320, within ninety (90) days from the date of filing of the Final

Order. **All costs shall be paid by cashier's check or money order.** Any change in the terms of payment of costs imposed by the Board **must be approved in advance by the Probation Committee of the Board**.

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 IN THIS SETTLEMENT AGREEMENT. SPECIFICALLY, IF RESPONDENT HAS NOT RECEIVED WRITTEN CONFIRMATION WITHIN 105 DAYS OF THE DATE OF FILING OF THE FINAL ORDER THAT THE FULL AMOUNT OF THE COSTS NOTED ABOVE HAS BEEN RECEIVED BY THE BOARD OFFICE, RESPONDENT AGREES TO CEASE PRACTICE UNTIL RESPONDENT RECEIVES SUCH WRITTEN CONFIRMATION FROM THE BOARD.

4. **Laws And Rules Course** - Respondent shall document completion of a Board-approved laws and rules course within one (1) year from the date the Final Order is filed.

STANDARD PROVISIONS

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

2. **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.

3. **Continuing Medical Education** - Unless otherwise provided in this Agreement Respondent shall first submit a written request to the Probation Committee for approval prior to performance of said CME course(s). Respondent shall submit documentation to the Board's Probation Committee of having completed a CME course 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 filing of the Final Order in this matter. All such documentation shall be sent to the Board's Probation Committee, 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. CME hours required by this Agreement shall be in addition to those hours required for renewal of licensure. Unless otherwise approved by the Board's Probation Committee, such CME course(s) shall consist of a formal, live lecture format.

4. **Addresses** - Respondent must provide current residence and practice addresses to the Board. Respondent shall notify the Board in writing within ten (10) days of any changes of said addresses

5. **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

SIGNED this 3rd day of May, 2018.

Mark Richard Laflamme, M.D.

STATE OF FLORIDA
COUNTY OF Hillsborough

BEFORE ME personally appeared Mark R. Laflamme, whose identity is known to me or who produced F.L.D.L. (type of identification) and who, under oath, acknowledges that his signature appears above.

SWORN TO and subscribed before me this 3 day of May, 2018.

CRYSTAL SOSA
Notary Public - State of Florida
My Comm. Expires Aug 12, 2018
Commission # FF 140500

NOTARY PUBLIC

My Commission Expires: Aug. 12, 2018

APPROVED this 9th day of May, 2018.

Celeste Philip, MD, MPH
Surgeon General and Secretary

By: Katelyn R. Boswell
Assistant General Counsel
Department of Health

EXHIBIT A

STATE OF FLORIDA
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH,

PETITIONER,

v. **CASE NUMBER 2016-27793**

MARK RICHARD LAFLAMME, M.D.,

RESPONDENT.

_____/

ADMINISTRATIVE COMPLAINT

Petitioner Department of Health hereby files this Administrative Complaint before the Board of Medicine against Respondent Mark Richard Laflamme, 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 101995.

3. Respondent's address of record is 3690 W. Gandy Blvd, Suite 434, Tampa, Florida 33611.

4. On or about November 1, 2016, in the County Court in and for Hillsborough County, Florida, in case number 16-CM-011267-A, Respondent was found guilty of domestic violence battery, pursuant to Section § 784.03(1), Florida Statutes.

5. Respondent did not report the November 1, 2016 guilty verdict to the Board, in writing, within thirty (30) days.

6. Section 456.072(1)(x), Florida Statutes (2016), subjects a licensee to discipline for failing to report to the board, or the department if there is no board, in writing, within thirty (30) days after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction.

7. On or about November 1, 2016, Respondent was found guilty of domestic violence battery.

8. Respondent failed to report the November 1, 2016 guilty verdict to the Board, in writing, within thirty (30) days.

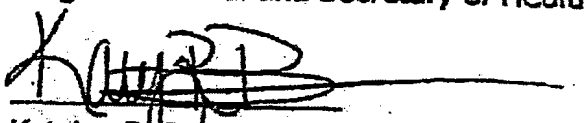
9. Based on the foregoing, Respondent violated Section 456.072(1)(x), Florida Statutes (2016), by failing to report his guilty verdict to the Board, in writing, within thirty (30) days.

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.

Signatures appear on next page

SIGNED this 23rd day of April, 2018.

Celeste Philip, MD, MPH
Surgeon General and Secretary of Health



Katelyn R. Boswell
Assistant General Counsel
Florida Bar Number 124413
Florida Department of Health
Office of the General Counsel
4052 Bald Cypress Way, Bin C-65
Tallahassee, Florida 32399-3265
Telephone: (850) 558-9865
Facsimile: (850) 245-4684
Email: Katelyn.boswell@flhealth.gov

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK ANGEL SANDERS
DATE APR 23 2018

PCP: April 20, 2018

PCP Members: Stephanie Haridopolos, M.D. & Brigitte Goersch

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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.