

**STATE OF FLORIDA  
DEPARTMENT OF HEALTH**

**DEPARTMENT OF HEALTH,**

**PETITIONER,**

**v.**

**CASE NO. 2017-21339**

**CARRIE SUE CANNON, M.D.,**

**RESPONDENT.**

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**ADMINISTRATIVE COMPLAINT**

Petitioner Department of Health (Department) files this Administrative Complaint before the Board of Medicine (Board) against Carrie Sue Cannon, 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 (2016); Chapter 456, Florida Statutes (2016); and Chapter 458, Florida Statutes (2016).
2. At all times material to this Complaint, Respondent was licensed to practice medicine within the State of Florida, having been issued license number ME 89284.
3. At all times material to this Complaint, Respondent's address of

record was 14968 Faversham Circle, Orlando, Florida 32826.

4. On or about January 19, 2017, the Professionals Resource Network (PRN)<sup>1</sup> received an internet referral that Respondent had been hospitalized.

5. On or about February 14, 2017, Dr. Karen Hadley, M.D., a physician specializing in psychiatry, evaluated Respondent at PRN's request.

6. Dr. Hadley diagnosed Respondent with Bipolar Disorder Type II, Anxiety Disorder, unspecified, and Rule Out Bipolar Disorder Type I.

7. Dr. Hadley opined that Respondent was unable to practice medicine with reasonable skill and safety to patients.

8. Dr. Hadley recommended that Respondent establish with an outpatient psychiatrist and therapist as soon as possible and be monitored by PRN.

9. On or about August 7, 2017, through August 10, 2017, Respondent underwent a multifaceted second opinion evaluation with Drs. Benjamin R. Phalin, Ph.D., Dr. Jamie Smolen, and Dr. Scott Teitelbaum.

10. Dr. Benjamin R. Phalin, Ph.D., conducted a neuropsychological

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<sup>1</sup> PRN is a Department-contracted consultant for matters dealing with impaired healthcare practitioners.

evaluation of Respondent.

11. Dr. Phalin diagnosed Dr. Cannon with Unspecified Bipolar Disorder, Unspecified Anxiety Disorder, Posttraumatic Stress Disorder, and Histrionic Personality Disorder, Dependent Personality Features.

12. Dr. Phalin opined that Respondent is unable to practice medicine with reasonable skill and safety to patients.

13. Dr. Phalin recommended that Respondent engage in ongoing psychiatric care, that prior to returning to work, she undergo a neuropsychological re-evaluation after demonstrating a period of sustained emotional stability, and that she be monitored by PRN.

14. Dr. Jamie Smolen, a physician specializing in psychiatry and addiction medicine, evaluated Respondent.

15. Dr. Smolen diagnosed Respondent with Bipolar Disorder, Unspecified, History of Bipolar Type I and II, with and without psychotic features, History of Major Depressive Disorder, severe, recurrent, chronic, with psychotic features, with periods of remission, Anxiety Disorder, unspecified, History of Obsessive Compulsive Disorder, Histrionic Personality Disorder, dependent personality features.

16. Dr. Smolen opined that Respondent was unable to practice

medicine with reasonable skill and safety to patients.

17. Dr. Smolen recommended that Respondent enter an abstinence based mental health monitoring contract with PRN which would include psychiatric medication management and individual psychotherapy.

18. Respondent refused to enter into a contract with PRN and as of the date of this complaint, has failed to comply with the treatment recommendations made by Drs. Hadley, Phalin, and Smolen.

19. Section 458.331(1)(s), Florida Statutes (2016), provides that it is a violation to be unable to practice medicine with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics or chemicals or any other type of material or as a result of any mental or physical condition.

20. Respondent is unable to practice medicine with reasonable skill and safety to patients due to one or more of the following:

- a. Unspecified Bipolar Disorder,
- b. Unspecified Anxiety Disorder,
- c. Posttraumatic Stress Disorder,
- d. Histrionic Personality Disorder, Dependent Personality  
Features,

- e. History of Major Depressive Disorder, severe, recurrent, chronic, with psychotic features, with periods of remission,
- f. Anxiety Disorder, unspecified, and,
- g. History of Obsessive Compulsive Disorder.

21. Based on the foregoing, Respondent violated Section 458.331(1)(s), Florida Statutes (2016).

**WHEREFORE**, Petitioner respectfully requests that the Board 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 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 19th day of January, 2018.

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

*Keith Humphrey*

Keith Humphrey  
Assistant General Counsel  
FL DOH Prosecution Services Unit  
4052 Bald Cypress Way, Bin C-65  
Tallahassee, FL 32399-3265  
Florida Bar Number 93767

FILED  
DEPARTMENT OF HEALTH  
DEPUTY CLERK  
CLERK Amber Greene  
DATE JAN 22 2018

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(P) (850) 558-9855  
(F) (850) 245-4662  
(E) Keith.Humphrey@flhealth.gov

PCP: January 19, 2018

PCP Members:

El-Bahri, Singer, & Goersch

### **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 any other discipline imposed.**