

**STATE OF FLORIDA  
DEPARTMENT OF HEALTH**

**DEPARTMENT OF HEALTH,**

**Petitioner,**

**v.**

**DOH Case No. 2014-10025**

**ZVI HARRY PERPER, M.D.,**

**Respondent.**

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**ADMINISTRATIVE COMPLAINT**

Petitioner, the Department of Health, files this Administrative Complaint ("Complaint") before the Board of Medicine ("Board") against Respondent Zvi Harry Perper, 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 65525.

3. Respondent's address of record is 6790 Jardin Place, Boca Raton, Florida 33433.

4. On or about May 14, 2014, in the Circuit Court of the Fifteenth Judicial Circuit in and for Palm Beach County, Florida, in case number 2011-CF-001934-AXXX-MB, Respondent was adjudicated guilty of attempted trafficking in oxycodone, a second degree felony, in violation of Section 893.135(1)(c), Florida Statutes.

5. Oxycodone is a semi-synthetic opioid that is prescribed to treat pain. According to Section 893.03(2), Florida Statutes, oxycodone is a Schedule II controlled substance that has a high potential for abuse and has a currently accepted but severely restricted medical use in treatment in the United States. Abuse of oxycodone may lead to severe psychological or physical dependence.

6. Section 456.072(1)(c), Florida Statutes (2013), provides that being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the practice of medicine or to the ability to practice medicine is grounds for disciplinary action by the Board of Medicine.

7. Respondent has been found guilty of a crime which relates to the practice of medicine or to the ability to practice medicine in that Respondent was found guilty of attempted trafficking in controlled

substances. The illegal act for which Respondent was found guilty was committed while he was engaged in the practice of medicine and he could not have committed the act without his license to practice.

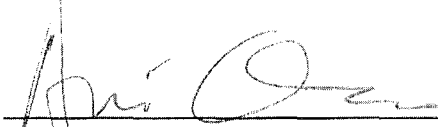
8. Based on the foregoing, Respondent has violated Section 456.072(1)(c), Florida Statutes (2013), by being found guilty of a crime in any jurisdiction which relates to the practice of medicine or to the ability to practice medicine.

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.

*[signature appears on following page]*

SIGNED this 29<sup>th</sup> day of July, 2014.

John H. Armstrong, MD, FACS  
Surgeon General & Secretary of Health

 for

Carol L. Gregg  
Assistant General Counsel  
Florida Bar # 181515  
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**FILED**

DEPARTMENT OF HEALTH  
DEPUTY CLERK

CLERK: Angel Sanders  
DATE: 7/29/14

CLG

PCP: July 29, 2014

PCP Members: Dr. Avila and Dr. Ginsburg and Ms. Di Pietro

## **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 his 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.**