Final Order No. DOH-25-1751- S -MQA
FILED DATE - DEC 15 2025
Department of Health
By: Danielle Weeks
Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF OSTEOPATHIC MEDICINE

DEPARTMENT OF HEALTH

Petitioner,

vs.

Case No: 2024-01136
License No.: OS 18164

ANDREW M. EPSTEIN, D.O.,

Respondent.
_____/

FINAL ORDER ACCEPTING SETTLEMENT AGREEMENT

This matter came before the Florida Board of Osteopathic Medicine (Board) at a duly-noticed public meeting on November 14, 2025, in West Palm Beach, Florida, for consideration of a Settlement Agreement (attached hereto as Exhibit "A") entered into between the parties in this cause and incorporated by reference into this Final Order. The Department of Health (hereinafter "Petitioner") was represented by Sarah Corrigan, Assistant General Counsel, with the Department of Health. Andrew M. Epstein, D.O., (hereinafter "Respondent") was present and was not represented by counsel.

The Petitioner filed an Administrative Complaint against the Respondent on May 3, 2024, attached hereto as Exhibit "B" and incorporated by reference into this Final Order.

Upon consideration of the Settlement Agreement, the documents submitted in support thereof, the arguments of the parties and otherwise being advised in the premises, the Board accepted the Settlement Agreement. Costs are assessed in the amount of $873.36 and payable within thirty (30) days from the filing date of this Final Order.

WHEREFORE, the Board hereby accepts the Settlement Agreement, settling all matters in this case consistent with the terms of the agreement between the parties, and Respondent is hereby ORDERED to abide by the terms of the Settlement Agreement. This Final Order shall be placed in and made part of the Respondent's official records.

This Final Order shall become effective upon filing with the Clerk for the Department of Health.

DONE AND ORDERED this 12th day of December, 2025.

BOARD OF OSTEOPATHIC MEDICINE

Stephanie Webster

Stephanie Webster, Executive Director
on behalf of Tiffany DiPietro, D.O., Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by **U.S. Mail** to **Andrew M. Epstein, D.O.,** 5886 E. Placita Alta Reposa, Tucson, AZ 85750; and by email to **Andrew M. Epstein, D.O.,** at Amepstein1@gmail.com; and **Donna C. McNulty**, Special Counsel – Assistant Attorney General, at Donna.McNulty@myfloridalegal.com; and **Sarah Corrigan,** Assistant General Counsel, at Sarah.Corrigan@flhealth.gov; this 15th day of December, 2025.

Harriette Weeks

Deputy Agency Clerk

Exhibit A

STATE OF FLORIDA
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH,

Petitioner,

v. **DOH Case No. 2024-01136**

ANDREW M. EPSTEIN, D.O.,

Respondent.
_____/

SETTLEMENT AGREEMENT

Pursuant to section 120.57(4), Florida Statutes, the above-named parties offer this Settlement Agreement ("Agreement") and agree to the entry of a Final Order by the Board of Osteopathic Medicine ("Board") incorporating this Agreement as disposition of this matter, in lieu of any other administrative proceedings.

STIPULATED FACTS

1. At all times material hereto, Respondent was a licensed osteopathic physician in the State of Florida having been issued license number OS 18164.

2. Respondent was charged by an Administrative Complaint with violating Chapter 456 and/or 459, Florida Statutes. The Administrative Complaint was filed by the Department of Health ("Department") and properly served upon Respondent. 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

4. Respondent admits that, in their capacity as a licensed osteopathic physician, they are subject to the provisions of chapters 456 and 459, Florida Statutes, and the jurisdiction of the Department and the Board.

5. Respondent admits that the facts alleged in the Administrative Complaint, if proven, would constitute violations of chapter 456 and/or 459, Florida Statutes.

6. Respondent agrees that the Agreement is a fair, appropriate, and reasonable resolution to this pending matter.

STIPULATED DISPOSITION

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

8. **Administrative Fine** – The Board shall impose an administrative fine of ***$1,500*** against Respondent's license which Respondent shall pay to:

Payments – DOH Compliance Management Unit
Bin C-76
P.O. Box 6320
Tallahassee, FL 32314-6320

Payment in full of the fine must be made within **thirty (30) days** of the date of filing of the Final Order accepting this Agreement. Any change in the terms of payment of any fine imposed **must be approved in advance by the Board.**

9. **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 do not include 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, or 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 ***shall not exceed $2,500*** The final amount of Department costs shall be determined at the time that the Board considers this Agreement at a public meeting. Respondent shall pay such Department costs to:

Payments – DOH Compliance Management Unit
Bin C-76
P.O. Box 6320
Tallahassee, FL 32314-6320

Payment in full of the Department costs must be made within **thirty (30) days** of the date of filing of the Final Order accepting this Agreement. Any change in the terms of payment of any costs imposed **must be approved in advance by the Board.**

STANDARD PROVISIONS

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

11. **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.

12. **Continuing Medical Education** – Unless otherwise provided in this Agreement Respondent shall first submit a written request to the Board for approval prior to performance of said CME course(s). Respondent shall submit documentation to the Board 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, regardless of whether some or any of such documentation was provided previously during 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, such CME course(s) shall consist of a formal, live lecture format.

13. **Addresses** – Respondent must provide current residence and practice addresses to the Board. Respondent shall notify the Board in writing within fifteen (15) days of any changes of said addresses.

14. **Future Conduct** – In the future, Respondent shall not violate chapter 456, 459 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 to include, but not limited to, all statutory requirements related to practitioner profile and licensure renewal updates. Prior to presentation of this Agreement to the Board, Respondent shall read chapters 456, 459 and 893 and the Rules of the Board of Osteopathic Medicine, at Chapter 64B15, Florida Administrative Code.

15. **Violation of Terms** – 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 459, Florida Statutes.

16. **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.

17. **No Preclusion of Additional Proceedings** – Respondent and the Department fully understand that this Agreement and subsequent Final Order 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.

18. **Waiver of Attorney's Fees and Costs** – Upon the Board's adoption of this Agreement, the parties hereby agree that with the exception of Department 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.

19. **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.

[Signatures appear on the following page.]

SIGNED this 13 day of May, 2025.

Andrew M. Epstein, D.O.

STATE OF ~~FLORIDA~~ Arizona

COUNTY OF Pima

BEFORE ME personally appeared Andrew M. Epstein, whose identity is known to me or who produced Drivers License (type of identification) and who, under oath, acknowledges that their signature appears above.

SWORN TO and subscribed before me this 13 day of May, 2025.

JORDAN BOARD
Notary Public - Arizona
Pima County
Commission # 671845
My Commission Expires September 30, 2028

NOTARY PUBLIC

My Commission Expires: 09/30/2028

For Department use only

APPROVED this 20th day of May, 2025.

Sarah Corrigan

By: Sarah Corrigan
Assistant General Counsel
Department of Health

Exhibit B

STATE OF FLORIDA
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH,

PETITIONER,

v. **CASE NO. 2024-01136**

ANDREW M. EPSTEIN, D.O.,

RESPONDENT.
_____/

ADMINISTRATIVE COMPLAINT

Petitioner, Department of Health, by and through its undersigned counsel, hereby files this Administrative Complaint before the Board of Osteopathic Medicine against Respondent, Andrew M. Epstein, D.O., 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 459, Florida Statutes.

2. At all times material to this Complaint, Respondent was a licensed osteopathic physician within the state of Florida, having been issued license number OS 18164.

3. Respondent's address of record is 5886 E Placita Alta Reposa, Tucson, AZ 85750.

4. The North Carolina Medical Board (hereinafter "North Carolina Board") is the licensing authority regulating the practice of osteopathic medicine in the state of North Carolina.

5. On or about January 4, 2024, the North Carolina Board entered a Consent Order disciplining Respondent's North Carolina medical license for unprofessional conduct, including a departure from, or the failure to conform to the standards of acceptable and prevailing medical practice.

6. Respondent was reprimanded, restricted from prescribing Ketamine and any drug that may contain Ketamine, and required to complete continuing medical education on medical record documentation.

7. The Consent Order entered by the North Carolina Board constitutes action against Respondent's license to practice medicine in North Carolina.

8. Section 459.015(1)(b), Florida Statutes (2023), sets forth grounds for disciplinary action by the Board of Osteopathic Medicine and provides that having a license or the authority to practice osteopathic medicine revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of any jurisdiction constitutes grounds for discipline.

9. The North Carolina Board entered a Consent Order against Respondent's license on or about January 4, 2024.

10. Based on the foregoing Respondent has violated section 459.015(1)(b), Florida Statutes (2023).

WHEREFORE, Petitioner respectfully requests that the Board of Osteopathic 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 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 2nd day of May, 2024.

Joseph A. Ladapo, MD, PhD
State Surgeon General

Sarah Corrigan

Sarah Corrigan
Assistant General Counsel
DOH Prosecution Services Unit
4052 Bald Cypress Way, Bin C-65
Tallahassee, Florida 32399-3265
Florida Bar Number 0085797
(850) 558 - 9828 Telephone
(850) 245 - 4683 Facsimile

SEC/
PCP: April 29, 2024
PCP Members: Dr. Michelle Mendez, Dr. Tiffany 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 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.