

STATE OF FLORIDA
BOARD OF MEDICINE

By: Vicki R. Keron
Deputy Agency Clerk

IN RE: THE PETITION
FOR DECLARATORY
STATEMENT OF
RICHARD GOLDBERG


FINAL ORDER

THIS CAUSE came before the Board of Medicine (hereinafter Board) pursuant to §120.565, Florida Statutes, and Rule 28-105, Florida Administrative Code, at a duly-noticed meeting in Jacksonville, Florida on February 2, 2202, for the purpose of considering the Petition for Declaratory Statement (attached as Exhibit A) filed on behalf of RICHARD GOLDBERG (hereinafter Petitioner).

The petition does not meet the requirements of §120.565, Florida Statutes, and Rule 28-105, Florida Administrative Code. Therefore, the Board declines to answer the petition and the petition is dismissed.

DONE AND ORDERED this 18 day of FEBRUARY, 2002.

BOARD OF MEDICINE


Larry McPherson, Executive Director
for Zachariah P. Zachariah, MD, Chair

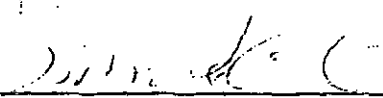
NOTICE OF APPEAL RIGHTS

Pursuant to Section 120.569, Florida Statutes, the parties are hereby notified that they may appeal this Final Order by filing one copy of a notice of appeal with the clerk of the department and by filing a filing fee and one copy of a notice of

appeal with the District Court of Appeal within thirty days of the date this Final Order is filed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been furnished by U.S. Mail to Petitioner RICHARD GOLDBERG, c/o Doreen A. Kunz, Esquire, 1044 Route 22 West, Suite 3, Mountainside NJ 07092 this 2 day of February, 2002.





December 4, 2001

MEDICAL BOARD
DEC 14 PM 2:59

Florida Board of Medicine
4052 Bald Cypress Way
BIN #C03
Tallahassee, FL 32399

Attention: Ms. Tanya Williams, Executive Director

Re: Request for Declaratory Statement Regarding the Injection of Contrast Media

Dear Ms. Williams:

Dr. Richard Goldberg, ME# 50004, has retained this firm to obtain, on his behalf, a declaratory statement from the Florida Board of Medicine ("Board") regarding the injection of contrast media. Specifically, we would like the Board to issue a declaratory statement advising us of the Board's position regarding who may inject contrast media during an MRI in Florida and who, if anyone, is required to supervise the injection of contrast media during an MRI in Florida.

Specifically, is it acceptable to the Board if a technologist, R.N. or someone trained in the injection of contrast media injects the contrast media? If someone is required to supervise the injection of contrast media during an MRI in Florida, what kind of supervision is required? For example, would the individual supervising the injection of contrast media be required to be in the same room, in the same facility, in the same building, or within so many minutes from the facility? Would it be acceptable for the supervising individual to be available by telephone?

I have been unable to find any Florida statute or regulation that addresses these issues. It is my understanding that Florida does not regulate MRIs, as they are not ionizing radiation.

Please do not hesitate to contact me if you have any questions. Also, kindly advise me when I will receive a response to my questions. Thank you.

Sincerely yours,

Doreen A. Kunz, Esq.

DAK:ms

cc: Lynn A. Adams, Esq.

DEBRA V. URSANOWICZ-PANDOS
ROWENA M. DURAN • CERTIFIED CIVIL TRIAL ATTORNEY • MEMBER OF NJ & NY BAR

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