
D.A.D.D.D. - Doctors Against Drug Dealing Doctors

In 2005 and 2010, Dr. Robert Ben Mitchell, D.O. (16375 NE 18 Ave, Suite 310, North Miami Beach, FL 33162, phone 786-262-5750) sent a proposal to the Florida Board of Osteopathic Medicine for a **statewide** emergency rule that would have effectively and immediately ended the pain pill-mill crisis in Florida, without impacting legitimate practitioners of pain management medicine. The board disregarded his submissions both times. Free copies of his proposals are online at www.TRAFN.com (in section 2, see: [2005 Emergency Rule](#) and [2010 Emergency Rule](#)).

In 2000, the Florida Board of Medicine (M.D.'s) issued three **statewide** emergency rules after only five people died from in-office liposuction (level-III surgery). These rules which effectively impacted both M.D.'s and D.O.'s were:

- 64B8ER00-1, Florida Administrative weekly, volume 26, number 34, August 25, 2000, pg 3896.
- 64B8ER00-3, Florida Administrative weekly, volume 26, number 47, November 22, 2000, pg 5530.
- 64B8ER00-4, Florida Administrative weekly, volume 26, number 47, November 22, 2000, pg 5533.

These emergency rules banned such surgeries for six months so that the boards could develop safer guidelines for such practice. After over a decade and over 20,000 pain pill-mill related deaths documented by the Florida Medical Examiner's Office, these boards have not issued any **statewide** emergency orders to address our pain pill-mill crisis.

The **statewide** emergency rule Dr. Mitchell proposed is not a moratorium or ban on pain management practice. It is only a patient volume limit on physicians who fail to meet certain guidelines for oversight (ie - hospital privileges, accepting Medicare and Medicaid payment, specialty board certification, etc.). It is based upon the current Substance Abuse and Mental Health Services Administration (S.A.M.H.S.A.) volume restrictions for Opioid Based Office Treatment (physicians who prescribe buprenorphine in their offices to treat people with opioid dependence).

On August 19, 2009, Dr. Mitchell, at his own request, voluntarily testified before the Broward County State Attorney's Grand Jury Investigation into the pain pill-mill crisis in Florida. The grand jury adopted nearly all of the recommendations he made including restrictions on pain management clinic advertising, drug dispensing and patient volume. In their interim report dated November 19, 2009, the grand jury stated, "***Your Grand Jury recommends that the Board of Medicine and Board of Osteopathic Medicine establish standards of care for doctors employed at pain clinics that limit the number of active patients a doctor can medically treat to 100 to ensure that all patients are receiving the proper care and follow up care at the facility for their ailments***" (underline added). This is the same 100 patient limit that Dr. Mitchell has been asking the medical boards to implement since 2005.

As part of the Florida Department of Health (D.O.H.), the medical boards have a defined mission statement to ***promote and protect the health and safety of all Floridians***. Their ineffective actions have allowed a crisis to develop where the FBI, DEA and IRS had to raid 11 pain clinics and confiscate the paperwork from 15 others in Florida on February 23, 2011. Currently, over 10 people die every day in Florida from improperly, physician-prescribed pain medications - that is more people every year than any single hurricane has ever killed in our state.

Governor Scott, I urge you to implore our medical boards to adopt Dr. Mitchell's statewide emergency rule.

Sincerely:

_____ / _____ / _____
(name - print) (name - sign - optional) (date)

(address - optional) (phone - optional)

COPY & FAX to Governor Rick Scott at **850-487-0801** (the governor's office phone is: 850-488-4441)