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To: John B. Crosby, JD, AOA Executive Director
142 E. Ontario St.
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02/25/11

Dear Mr. Cosby,

It was a pleasure to meet you at the FOMA convention yesterday in Weston, Florida. As per our brief conversation, I am enclosing a proposal I submitted to the Florida Board of Osteopathic Medicine in both 2005 and 2010. It contains the draft for a statewide emergency rule which would effectively and immediately end the pill-mill crisis in Florida without impacting legitimate practitioners of pain management medicine. The board has disregarded my submission both times.

In 2000, the Florida Board of Medicine and the Florida Board of Osteopathic Medicine issued three statewide emergency rules after only five people died from level three, in-office surgery (liposuction):

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

These emergency rules effectively banned such surgeries for six months so that the board could develop safer guidelines for such practice. After over a decade and over 20,000 deaths documented by the Florida Medical Examiner's Office, the Florida Board of Osteopathic Medicine has yet to issue any **statewide** emergency orders concerning our pill-mill crisis.

The emergency rule I proposed is not a moratorium or ban on pain management practice. It is simply a volume limitation imposed on independent practitioners who fail to meet certain guidelines for oversight (ie - hospital privileges, accepting Medicare or Medicaid payment, specialty board certification, etc.). It is based upon the SAMHSA/CSAT volume restrictions implemented in D.A.T.A. 2000 for Opioid Based Office Treatment.

Given all the loopholes in the latest rules the board has adopted for pain clinics, it is highly questionable if these will have any significant impact on the rising, pill-mill death toll. Sadly, our board's lack of effective action has led to an unheard of state where the FBI, DEA and IRS had to raid 11 pain clinics and confiscate the paperwork from 15 others in southeast Florida just this past Wednesday, the day before we met.

Beyond the National Socialist euthanasia programs of the 1930's and 1940's, I know of no other issue in medicine where physicians have knowingly and willingly killed tens of thousands of their patients for financial gain while the state's medical board failed to take swift, immediate and effectual action to stem such a massacre.

I would appreciate your feedback on this proposal.

Sincerely,

Dr. Robert Ben Mitchell, D.O.