

FILED DATE - AUG 17 2015
Department of Health

By: Angel Sanders
Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF ATHLETIC TRAINING

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No.: 2014-04594

License No.: 1181

MICHAEL DAVID EVANS,

Respondent.

FINAL ORDER

This matter appeared before the Board of Athletic Training at a duly-noticed public meeting on July 17, 2015 in Kissimmee, Florida, for a hearing not involving disputed issues of material fact pursuant to Respondent's Election of Rights requesting a hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes. Petitioner has filed an Administrative Complaint seeking disciplinary action against the license. A copy of the Administrative Complaint is attached to and made a part of this Final Order. Respondent was present and not represented by counsel.

FINDINGS OF FACT

The Board adopts as its finding of facts the facts set forth in the Administrative Complaint.

CONCLUSIONS OF LAW

Based upon the Findings of Fact, the Board concludes the

5.4.13

Respondent has violated Sections 468.711(3), Florida Statutes.

The Board is empowered by Sections 468.811(2) and 456.072(2), Florida Statutes, to impose a penalty against the Respondent. Therefore it is ORDERED that:

The license of ROBERT ALAN FELDMAN is hereby REPRIMANDED.

The Respondent must pay an administrative fine of \$1,000.00 and investigative costs of \$307.22 within 60 days of the date this Final Order is filed. Payment shall be made by cashier's check or money order payable to the Board of Athletic Training and mailed to, DOH-Compliance Management Unit, Bin C-76, P.O. Box 6320, Tallahassee, Florida 32314-6320, Attention: Athletic Training Compliance Officer.

The license of MICHAEL DAVID EVANS is placed on probation for a period of eighteen (18) months subject to the following terms:

The Respondent shall not violate chapters 456 or 468, Florida Statutes, the rules promulgated pursuant thereto, any other state or federal law, rule, or regulation relating to the practice or the ability to practice as an athletic trainer.

The Respondent must report any change in address or telephone number, employment, employer's address or telephone number, or any arrests in writing within 10 working days to the Department of Health, 4052 Bald Cypress Way, Bin C02,

Tallahassee, Florida 32399-3252.

Whether employed as an athletic trainer or not, the Respondent shall submit written reports to the Athletic Training Compliance Officer which shall contain the Respondent's name, license number, and current address; the name, address, and phone number of his/her current employer; and a statement by the Respondent describing his/her employment. This report shall be submitted to the Athletic Training Compliance Officer every three (3) months in a manner as directed by the Athletic Training Compliance Officer.

All current and future settings in which the Respondent practices as an athletic trainer shall be promptly informed of the Respondent's probationary status.

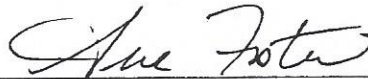
The Respondent's failure to comply with the terms of this Probation Order without the prior written consent of the Board shall be a violation of this Probation. The probation shall not be terminated until the Respondent has complied with all terms of probation. The failure to comply with the terms of probation set forth above shall result in a subsequent Uniform Complaint Form being filed by the Board with the Department of Health against the Respondent's license, which may result in additional administrative fines, probationary periods, and/or suspensions being imposed against the Respondent's license.

The Respondent shall pay all costs necessary to comply with the terms of this Order. Such costs include, but are not limited to, the cost of preparation of investigative and probationary reports detailing the compliance with this probation; the cost of obtaining, and analysis of, any blood or urine specimens submitted pursuant to this Order; and administrative costs directly associated with the Respondent's probation.

This Final Order shall take effect upon being filed with the Clerk of the Department of Health.

DONE AND ORDERED this 14 day of August, 2015.

BOARD OF ATHLETIC TRAINING



Sue Foster, Executive Director for
Nicholas Pappas, ATC, LAT, Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to MICHAEL DAVID EVANS, 2304 NW 14th Lane, Cape Coral, FL 33993 and/or 2736 NE 5th Ave., Cape Coral, FL 33909; and by interoffice delivery to Rachel W. Clark, Assistant Attorney General, Department of Legal Affairs, PL-01 The Capitol, Tallahassee FL 32399-1050, and Department of Health, 4052 Bald Cypress Way, Bin C-65,

Tallahassee, Florida 32399-3265 this 17th day of August, 2015.

Angel Sanders
Deputy Agency Clerk