

PUBLIC

IN THE MATTER

OF

**STEVEN ALLEN FIELD, M.D.
CO-05-02-0905-A**

**COMMISSIONER'S
SUMMARY
ORDER**

TO: STEVEN ALLEN FIELD, M.D.
4321 Carrollwood Village Drive
Apt. D
Tampa, FL 33624

STEVEN ALLEN FIELD, M.D.
905 Guisando De Avila
Tampa, FL 33613

The undersigned, Antonia C. Novello, M.D., M.P.H., Dr. P.H., Commissioner of Health, pursuant to N.Y. Public Health Law §230, upon the recommendation of a committee on Professional Medical Conduct of the State Board for Professional Medical Conduct, has determined that the duly authorized professional disciplinary agency of another jurisdiction, the Florida Department of Health, Division of Medical Quality Assurance, (hereinafter "Florida Board") has made a finding substantially equivalent to a finding that the practice of medicine by **STEVEN ALLEN FIELD, M.D.**, Respondent, licensed to practice medicine in New York state on August 30, 1972, by license number 114013, in that jurisdiction, constitutes an imminent danger to the health, safety, and welfare of its people, as is more fully set forth in documents of the Florida Board, attached hereto, as Appendix "A," and made a part hereof.

It is, therefore:

ORDERED, pursuant to N.Y. Public Health Law Section 230(12)(b), that effective immediately, **STEVEN ALLEN FIELD, M.D.**, Respondent, shall not practice medicine in the state of New York or in any other jurisdiction where that practice is dependent on a valid New York state license to practice medicine.

Any practice of medicine in the state of New York or in any other jurisdiction where that practice is dependent on a valid New York state license to practice medicine in violation of this Commissioner's Summary Order shall constitute Professional Misconduct within the meaning of N.Y. Educ. Law §6530 and may constitute unauthorized medical practice, a felony defined by N.Y. Educ. Law §6512.

This Order shall remain in effect until the final conclusion of a hearing that shall commence within thirty (30) days after the final conclusion of the disciplinary proceeding in the state of Florida. The hearing will be held pursuant to the provisions of NY. Pub. Health Law §230, and N.Y. State Admin. Proc. Act §301-307 and 401. The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct, on a date and at a location to be set forth in a written Notice of Referral Proceeding, together with a Statement of Charges, to be provided to Respondent after the final conclusion of the Florida proceeding. Said written Notice may be provided in person, by mail or by other means. If Respondent wishes to be provided said written notice at an address other than those set forth above, Respondent shall so notify, in writing, both the attorney whose name is set forth on this Order and the Director of the Office of Professional Medical Conduct, at the addresses set forth below.

Respondent shall notify the Director of the Office of Professional Medical Conduct, New York State Department of Health, 433 River Street, Suite 303, Troy, NY 12180-2299 via Certified Mail, Return Receipt Requested, of the final conclusion of the Florida proceeding, immediately upon such conclusion.

**THESE PROCEEDINGS MAY RESULT IN A
DETERMINATION THAT YOUR LICENSE TO
PRACTICE MEDICINE IN NEW YORK STATE BE
REVOKED OR SUSPENDED AND/OR THAT YOU
MAY BE FINED OR SUBJECT TO OTHER SANCTIONS
SET FORTH IN NEW YORK PUBLIC HEALTH LAW
SECTION 230-A. YOU ARE URGED TO OBTAIN AN
ATTORNEY FOR THIS MATTER.**

DATE: Albany, New York

April 14, 2005


ANTONIA C. NOVELLO, M.D., M.P.H., Dr. P. H.
Commissioner

Inquires should be addressed to:

Robert Bogan
Associate Counsel
Office of Professional Medical Conduct
433 River Street – Suite 303
Troy, New York 12180
(518) 402-0828

STATE OF FLORIDA
DEPARTMENT OF HEALTH

By: Heather Coleman
Deputy Agency Clerk

IN RE: The Emergency Suspension of the License of
Steven Field, M.D.
License Number: ME 27678
Case Number ME 2004-39113

ORDER OF EMERGENCY SUSPENSION OF LICENSE

John O. Agwunobi, M.D., M.B.A., M.P.H, Secretary of the Department of Health, hereby ORDERS the emergency suspension of the license of Steven Field, M.D., ("Dr. Field") to practice medicine. Dr. Field holds license number ME 27678. His address of record is 13201 Bruce B. Downs Boulevard, MDC Box 56, Tampa, Florida 33612-3805. The following Findings of Fact and Conclusions of Law support the emergency suspension of Dr. Field's license to practice medicine.

FINDINGS OF FACT

1. The Department of Health ("Department") is the state department charged with regulating the practice of medicine pursuant to Chapters 20, 456, and 458, Florida Statutes.
2. Section 456.073, Florida Statutes, empowers the Secretary of the Department to summarily suspend Dr. Field's license to practice medicine in the State of Florida, in accordance with Section 120.60(6), Florida Statutes.
3. At all times material to this order, Dr. Field was a licensed physician pursuant to Chapter 458, Florida Statutes.

4. On or about November 16, 2004, the Disability Determinations Division of the Department of Health scheduled an appointment for a female patient, S.B., to attend an independent medical examination by Dr. Field in support of S.B.'s application for disability benefits. Prior to this appointment, S.B. had never met Dr. Field.

5. S.B.'s appointment with Dr. Field was scheduled for 5:30 PM. When S.B. arrived for her appointment, Dr. Field's office was closed. Dr. Field subsequently arrived and unlocked the door to the office and turned on the lights. There was no one present in the office except Dr. Field and S.B.

6. S.B. followed Dr. Field into the office, and he told her to change into a patient gown.

7. S.B. sat in a patient chair in the office and Dr. Field entered the room and asked her questions about her medical history. Dr. Field took S.B.'s blood pressure, which he noted to be very high. Dr. Field left the examination room to purportedly get another blood pressure machine, and when he returned, Dr. Field was wearing only his shirt and lab coat and was naked from the waist down.

8. S.B. reports that Dr. Field placed his penis in front of her face, stating, "Here, suck this." S.B. stated that she turned her head to the side and said that she didn't do things like that. S.B. reports that Dr. Field then grabbed her arm and laid down on the examination table. S.B. reports that Dr. Field then grabbed her and lifted her on top of him, pulling her panties to the side and entering her vagina. Dr. Field orgasmed.

9. S.B. reported that she then went to the bathroom to try to clean up the semen from her body.

10. S.B. dressed and left Dr. Field's office.

11. On or about November 17, 2004, S.B. contacted her primary care doctor, the police, and a rape crisis center. S.B. was brought to the crisis center where she underwent a full rape kit evaluation, which found semen in her vaginal fluid.

12. Dr. Field, through his criminal attorney, admitted the sexual act between himself and S.B., but stated that the sex act was consensual.

13. Section 456.072(1)(u), Florida Statutes (2004), subjects a licensee to discipline, including suspension, for engaging or attempting to engage in sexual misconduct as defined and prohibited in Section 456.063(1), Florida Statutes.

14. Section 456.063(1), Florida Statutes (2004), states as follows:

Sexual misconduct in the practice of a health care profession means violation of the professional relationship through which the health care practitioner uses such relationship to engage or attempt to engage the patient or client, or an immediate family member, guardian, or representative of the patient or client in, or to induce or attempt to induce such person to engage in, verbal or physical sexual activity outside the scope of the professional practice of such health care profession. Sexual misconduct in the practice of a health care profession is prohibited.

15. As set forth above, S.B. was seen by Dr. Field for an independent examination for disability determination. During the course of the physical examination, S.B. relates that Dr. Field forced himself upon her, and Dr. Field admits that he and S.B. were sexually intimate. Dr. Field committed sexual acts with S.B., a patient, in violation of Section 456.072(1)(u), Florida Statutes (2004).

16. Section 458.331(1)(j), Florida Statutes (2004), sets out the following ground for discipline:

Exercising influence within a patient-physician relationship for purposes of engaging a patient in sexual activity. A patient shall be presumed to be incapable of giving free, full, and informed consent to sexual activity with his or her physician.

17. As detailed above, Dr. Field admittedly had sexual relations with a patient under his care while in his office, during an examination. S.B. reports that this sex act was forced, and that she was raped by Dr. Field. Dr. Field violated Section 458.331(1)(j), Florida Statutes (2004).

18. Section 120.60(6), Florida Statutes, authorizes the Department to suspend a physician's license if the Department finds that the physician presents an immediate serious danger to the public health, safety, or welfare.

19. The Department of Health sent S.B. to Dr. Field in order to undergo an independent medical examination for disability determination. During the course of this appointment, Dr. Field admittedly had sex with S.B., his patient. S.B. reports that she was alone in the office with Dr. Field, and that the sex was completely without her consent, and that Dr. Field raped her. Dr. Field was seeing S.B. for a disability determination and knew that she was relying on his opinion of her condition to determine whether or not she would receive disability benefits. Dr. Field abused his position of power as a physician and took advantage of his patient, S.B.

20. As exemplified by the facts of this case, physicians often care for vulnerable patients in settings where they can easily abuse these patients. Due to the

potential for abuse that is inherent under these circumstances, doctors must possess good judgment and good moral character in order to safely practice medicine. Dr. Field's willingness to engage in sexual misconduct toward his patient demonstrates a serious defect in Dr. Field's judgment and moral character. Dr. Field's conduct was so egregious, it constitutes such a threat to the public health and safety, and demonstrates such a disregard for the laws and regulations governing physicians in this state, that the safety of Dr. Field's patients cannot be assured as long as he continues to practice medicine in the State of Florida.

21. Dr. Field's lack of good judgment and moral character and his disregard for the laws and rules governing the practice of medicine in the State of Florida represent a significant likelihood that Dr. Field will cause harm to patients in the future. This probability constitutes an immediate serious danger to the health, safety, and welfare of the citizens of the State of Florida. Nothing short of the immediate suspension of Dr. Field's license to practice medicine will ensure the protection of the public from this danger.

CONCLUSIONS OF LAW

22. The Secretary of the Department of Health has jurisdiction over this matter pursuant to Sections 20.43 and 456.073, Florida Statutes, and Chapter 458, Florida Statutes, as set forth above.

23. Based on the foregoing Findings of Fact, the Secretary concludes that Dr. Field violated Section 456.072(1)(u), Florida Statutes (2004), by engaging in sexual misconduct as prohibited in Section 456.063(1), Florida Statutes (2004).

24. Based on the foregoing Findings of Fact, the Secretary concludes that Dr. Field violated Section 458.331(1)(j), Florida Statutes (2004), by using his influence in the physician-patient relationship to engage a female patient in sexual activity.

25. Based on the foregoing Findings of Fact, the Secretary concludes that Dr. Field's continued practice as a physician constitutes an immediate serious danger to the health, safety, and welfare of the public and that this summary procedure is fair under the circumstances to adequately protect the public.

WHEREFORE, in accordance with Section 120.60(6), Florida Statutes, it is THEREUPON ORDERED THAT:

1. The license of Steven Field, M.D., license number ME 27678, is hereby immediately suspended.
2. A proceeding seeking formal suspension or discipline of the license of Steven Field, M.D., to practice as a physician will be promptly instituted and acted upon in compliance with Sections 120.569 and 120.60(6), Florida Statutes.

DONE and ORDERED this 19th day of January, 2005.


John O. Agwunobi, M.D., M.B.A., M.P.H.
Secretary, Department of Health

PREPARED BY:

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IN RE: The Emergency Suspension of the License of
Steven Field, M.D.

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License Number: ME 27678
Case Number ME 2004-39113

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NOTICE OF RIGHT TO JUDICIAL REVIEW

Pursuant to Section 120.68, Florida Statutes (2004), the Department's findings and procedural fairness shall be judicially reviewable. Review proceedings are governed by the Florida Rules of Appellate Procedure. Such proceedings are commenced by filing one copy of a Petition for Review, in accordance with Florida Rule of Appellate Procedure 9.100, with the Department of Health and a second copy of the petition accompanied by a filing fee prescribed by law with the District Court of Appeal within thirty (30) days of the date this Order is filed.

IN RE: The Emergency Suspension of the License of
Steven Field, M.D.
License Number: ME 27678
Case Number ME 2004-39113
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