STATE OF FLORIDA  
BOARD OF MEDICINE  

DEPARTMENT OF HEALTH,  

Petitioner,  

vs.  

DOH CASE NO.: 2013-09104  
2013-11846  
LICENSE NO.: ME0049914  

RICHARD A. MARTIN, JR., M.D.,  

Respondent.  

FINAL ORDER  

THIS CAUSE came before the BOARD OF MEDICINE (Board) on February 7, 2014, in Kissimmee, Florida, for the purpose of considering Respondent’s offer to voluntarily relinquish his license to practice medicine in the State of Florida. (Attached hereto as Exhibit A.) Said written offer of relinquishment specifically provides that Respondent agrees never again to apply for licensure as a physician in the State of Florida. 

Upon consideration of the written offer of voluntary relinquishment, the charges, and the other documents of record, and being otherwise fully advised in the premises,  

IT IS HEREBY ORDERED that Respondent’s Voluntary Relinquishment of his license to practice medicine in the State of Florida is hereby ACCEPTED, and shall constitute discipline upon Respondent’s license.
This Final Order shall take effect upon being filed with the Clerk of the Department of Health.

DONE AND ORDERED this 14th day of February, 2014.

BOARD OF MEDICINE

Allison M. Dudley, J.D., Executive Director
For Nabil El Sanadi, M.D., 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 RICHARD A. MARTIN, JR., M.D., 600 9th Avenue, #206, Seattle, Washington 98104-2001; and by interoffice delivery to Doug Sunshine, Department of Health, 4052 Bald Cypress Way, Bin #C-65, Tallahassee, Florida 32399-3253 this 17th day of February, 2014.

Deputy Agency Clerk
STATE OF FLORIDA
DEPARTMENT OF HEALTH

V.

RICHARD A. MARTIN, JR., M.D.
Respondent

VOLUNTARY RElinquishment of License

Respondent, RICHARD A. MARTIN, JR., M.D., License No. 40914, hereby voluntarily relinquishes Respondent's license to practice medicine in the State of Florida and states as follows:

1. Respondent's purpose in executing this Voluntary ReInQuishment is to avoid further administrative action with respect to this cause. Respondent understands that acceptance by the Board of Medicine (hereinafter the Board) of this Voluntary ReInQuishment shall be construed as disciplinary action against Respondent's license pursuant to Section 458.072(1)(h), Florida Statutes. As with any disciplinary action, the relinquishment will be reported to the National Practitioner Data Bank as disciplinary action. Licensing authorities in other states may impose discipline in their jurisdiction based on discipline taken in Florida.

2. Respondent agrees to never apply for licensure as a medical doctor in the State of Florida.

3. Respondent agrees to voluntarily cease practicing medicine immediately upon executing this Voluntary ReInQuishment. Respondent further agrees to refrain from the practice of medicine until such time as this Voluntary ReInQuishment is presented to the Board and the Board issues a written final order in this matter.

4. In order to expedite consideration and resolution of this action by the Board in a public meeting, Respondent, being fully advised of the consequences of so doing, hereby waives the statutory privilege of confidentiality of Section 458.073(10), Florida Statutes, and waives a determination of probable cause, by the Probable Cause Panel, or the Department when appropriate, pursuant to Section 458.073(4), Florida Statutes, regarding the complaint, the investigative report of the Department of Health, and all other information obtained pursuant to the Department's investigation in the above-styled action. By signing this waiver, Respondent

INV FORM 625, Revised 04-12, Created 02-10
understands that the record and complaint become public record and remain public record and that information is immediately accessible to the public.

5. Upon the Board's acceptance of this Voluntary Reinstatement, Respondent agrees to waive all rights to seek judicial review of, or to otherwise challenge or contest the validity of, this Voluntary Reinstatement and of the Final Order of the Board incorporating the Voluntary Reinstatement.

6. Petitioner and Respondent hereby agree that upon the Board's acceptance of this Voluntary Reinstatement, each party shall bear its own attorney fees and costs related to the prosecution or defense of this matter.

7. Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent in connection with the Board's consideration of this Voluntary Reinstatement. Respondent agrees that consideration of this Voluntary Reinstatement and other related materials by the Board shall not prejudice or preclude the Board, or any of its members, from further consideration, reconsideration, or resolution of these proceedings if the terms of this Voluntary Reinstatement are not accepted by the Board.

Dated the 28th day of October, 2013

STATE OF WASHINGTON

COUNTY OF KING

Before me, personally appeared Richard A. Martin, Jr., M.D., whose identity is known to me or who presented Washington Driver's License (type of identification) and who, under oath, acknowledges that his signature appears above:

Sworn to and subscribed before me the 28th day of October, 2013

My Commission Expires: May 16, 2014

NOTARY PUBLIC

[Stamp]
STATE OF FLORIDA
DEPARTMENT OF HEALTH
INVESTIGATIVE REPORT

Office: Area VI Tampa Date of Case: 09/12/13 Case Number: 2013-09104

Subject: RICHARD A. MARTIN, M.D.
600 8th Avenue, #206
Seattle, WA 98104
(206) 726-9115

Source: M
200 South East Hospital Avenue
Stuart, FL 34999
(772) 419-3951

Prefix: ME License #: 49914 Profession: Medical Doctor Board: Medicine Report Date: 10/29/13

Period of Investigation: 09/12/13 to 10/29/13 Type of Report: Final

Alleged Violation: F.S. 456.065(2)(d)1; 456.072(1)(k)(dd); 458.327(2)(e); and 458.331(1)(g)(nn): It is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, to practice, attempt to practice, or offer to practice a health care profession without an active, valid Florida license...; Failing to perform any statutory or legal obligation.... Violating any provision of this chapter....; Practicing medicine or attempting to practice medicine with an inactive or delinquent license....; Failing to perform any statutory or legal obligation....; and Violating any provision of this chapter or chapter 456....

Synopsis: This investigation is predicated upon a Case Summary (Exhibit #1) based upon a complaint by N H reporting Dr. RICHARD A. MARTIN Jr. wrote a lab script on 04/20/13 for an unnamed patient who hand-delivered the script to Martin Health System located in Stuart, Florida on 04/22/13. The lab tests were performed on the patient prior to discovering MARTIN'S Florida Medical Doctor license was in a clear, but inactive status at the time the script was written.

MARTIN was notified of the investigation by Certified Letter (Exhibit #2), dated 09/12/13, and was provided a copy of the Case Summary, complaint and accompanying documents.

A check of DOH computer licensure records revealed MARTIN is currently licensed as a medical doctor. The license is in a clear, but inactive status. According to the Practitioner Profile, MARTIN does not hold any specialty certifications.

The Source Notification Letter was sent on 09/13/13 (Exhibit #3).

The Patient Notification Letter was not utilized because no patients were identified.

MARTIN is not currently known to be represented by an attorney.

A written response was received from MARTIN on 10/15/13 and the allegations were denied. MARTIN signed a Voluntary Relinquishment of License Form on 10/28/13 (Exhibit #7).

Related Case(s): None

Investigator/Date: Scott M. Martin, TI - 149 Approved By/Date: Babette S. Agett TI-115
Investigation Specialist II Investigation Supervisor

Distribution: HQ/ISU OCT 3, 2013

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STATE OF FLORIDA

DEPARTMENT OF HEALTH

INVESTIGATIVE REPORT

Office: Area VI  Tampa  Date of Case: 07/29/13  Case Number: 2013-11846

Subject: RICHARD A. MARTIN, M.D.
600 9th Avenue, #206
Seattle, WA 98104
(206) 726-9115

Source: ANONYMOUS

Prefix: ME  License #: 49914  Profession: Medical Doctor  Board: Medicine  Report Date: 10/28/13

Period of Investigation: 09/12/13 to 10/28/13  Type of Report: Final

Alleged Violation: F.S. 456.072(1)(a)(j)(k)(m)(dd); and 458.331(1)(d)(f)(g)(k)(q)(w)(nn): Making misleading, deceptive, or fraudulent representations.... Aiding, assisting, procuring, employing, or advising any unlicensed person..... Failing to perform any statutory or legal obligation placed upon a licensee.... Making deceptive, untrue, or fraudulent representations.... Violating any provision of this chapter.... False, deceptive, or misleading advertising.... Aiding, assisting, procuring, or advising any unlicensed person.... Failing to perform any statutory or legal obligation.... Making deceptive, untrue, or fraudulent representations.... Prescribing, dispensing, administering, mixing....; Delegating professional responsibilities to a person.... and Violating any provision of this chapter or chapter 456....

Synopsis: This investigation is predicated upon a Case Summary (Exhibit #1) based upon a complaint by an anonymous source, reporting Dr. RICHARD A. MARTIN Jr. is providing medical treatment to patients even though his Florida medical license is in a clear, but inactive status. On 07/29/13, the anonymous source discovered MARTIN is advertising as being on the staff for www.transgendercare.com medical staff and is administering nitrous oxide and other anesthetics for an unlicensed electrolysis at the Tampa Gender Identity Program (TGIP). An article retrieved on 07/29/13 from www.troadmap.com reports MARTIN is also providing screenings and physicals.

MARTIN was notified of the investigation by letter (Exhibit #2), dated 09/12/13, and was provided a copy of the Case Summary, complaint and accompanying documents.

A check of DOH computer licensure records revealed MARTIN is currently licensed as a medical doctor. The license is in a clear, but inactive status. According to the Practitioner Profile, MARTIN does not hold any specialty certifications.

The Source Notification Letter was not sent because the source was anonymous.

The Patient Notification Letter was not utilized because no patients were identified.

MARTIN is not currently known to be represented by an attorney.

On 09/23/13, MARTIN provided a written response and denied the allegations. MARTIN signed a Voluntary Relinquishment of License Form on 10/28/13.

Related Case(s):

Investigator/Date:  Scott M. Martin, TI - 149
Investigation Specialist II

Approved By/Date:  Babette S. Agett  TI-115
Investigation Supervisor

Distribution:  HQ/ISU

Received:  OCT 30 2013

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Telehealth HQ