

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

IN RE: The Emergency Suspension of the License of
Zannos Grekos, M.D.
License Number: ME 61912
Case Number: 2010-14317

ORDER OF EMERGENCY SUSPENSION OF LICENSE

H. Frank Farmer, Jr., M.D., Ph.D., F.A.C.P., State Surgeon General, ORDERS the Emergency Suspension of the license of Zannos Grekos, M.D. (Dr. Grekos) to practice as a physician in the State of Florida. Dr. Grekos holds license number ME 61912. His address of record is 9500 Bonita Beach Road, Suite 310, Bonita Springs, Florida 34153. The following Findings of Fact and Conclusions of Law support the Emergency Suspension of Dr. Grekos' license to practice as a physician in the State of Florida.

INTRODUCTION

On February 23, 2011, the State Surgeon General entered an Emergency Restriction Order (ERO) pursuant to Section 120.60 (6), Florida Statutes, immediately restricting Dr. Grekos from "providing any stem cell treatment including but not limited to the injection of autologous bone marrow aspirate."

On March 2, 2012, in violation of the above mentioned ERO, Dr. Grekos performed a stem cell treatment on patient R.P., an elderly male with pulmonary hypertension and pulmonary fibrosis. Dr. Grekos performed this stem cell treatment by harvesting adipose tissue which also routinely contains stem cells, from patient R.P.'s abdomen, then having the adipose tissue couriered to a laboratory to have the stem cells concentrated and then he infused or directed that patient R.P. have infused

concentrated stem cells into R.P.'s blood stream for the treatment of pulmonary hypertension and pulmonary fibrosis. The foregoing stem cell treatment was performed in Dr. Grekos' medical office in Bonita Springs, Florida. During the said stem cell treatment patient R.P. suffered a cardiac arrest and died.

FINDINGS OF FACT

1. The Department of Health (Department) is the state agency charged with regulating the practice of medicine, pursuant to Section 20.43, and Chapters 456 and 458, Florida Statutes. Section 456.073(8), Florida Statutes (2011), empowers the State Surgeon General to summarily suspend Dr. Grekos' license to practice as a physician in the State of Florida in accordance with Section 120.60(6), Florida Statutes (2011).

2. At all times material to this Order, Dr. Grekos was licensed to practice as a physician in the State of Florida, pursuant to Chapter 458, Florida Statutes, (2011), and practiced medicine at 9500 Bonita Beach Road, Suite 310, Bonita Springs, Florida 34153.

3. On March 2, 2012, while practicing at his office, Dr. Grekos performed a stem cell treatment on patient R.P. by harvesting adipose tissue from patient R.P.'s abdomen, then having the adipose tissue couriered to a laboratory to have the stem cells concentrated and then he infused or directed that patient R.P. have infused the concentrated stem cells into R.P.'s blood stream for the treatment of pulmonary hypertension and pulmonary fibrosis.

4. On February 23, 2011, an order of emergency restriction of license was filed restricting Dr. Grekos from "providing any stem cell treatment including but not limited to the injection of autologous bone marrow aspirate."

5. On March 2, 2012, Dr. Grekos violated the order of emergency restriction of his license by performing a stem cell treatment on patient R.P. by harvesting adipose tissue from patient R.P.'s abdomen, then having the adipose tissue couriered to a laboratory to have the stem cells concentrated and he then infused or directed that patient R.P. have infused concentrated stem cells into R.P.'s blood stream for the treatment of pulmonary hypertension and pulmonary fibrosis at his medical office in Bonita Springs, Florida. During the said stem cell treatment, patient R.P. suffered a cardiac arrest and died.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the State Surgeon General concludes as follows:

1. Section 120.60(6), Florida Statutes (2011), authorizes the Department to suspend or restrict a physician's license if the Department finds that the physician presents an immediate, serious danger to the public health, safety or welfare.

2. The State Surgeon General has jurisdiction over this matter pursuant to Sections 20.43 and 456.073(8), Florida Statutes (2011), and Chapter 458, Florida Statutes (2011). Section 458.331(1)(g), Florida Statutes (2011), allows the Board of

Medicine to discipline or suspend the license of a physician for failing to perform any statutory or legal obligation placed upon a licensed physician.

3. Dr. Grekos violated Section 458.331(1)(g), Florida Statutes (2011) by failing to comply with the lawful order of emergency restriction of his license entered on February 23, 2011.

4. Dr. Grekos' actions manifest such a pattern and propensity to practice below the appropriate standard of care that a continuation of this practice poses an immediate serious danger to the public health, safety or welfare.

5. A physician licensed in the State of Florida is one of a small number of licensed professionals allowed to perform surgery, diagnose illness or disease, prescribe, administer, and dispense controlled substances.

6. Dr. Grekos harvested adipose tissue from patient R.P.'s abdomen, had it couriered to a laboratory to have the stem cells concentrated and then infused or directed that patient R.P. have an infusion of concentrated stem cells into R.P.'s blood stream for the treatment of pulmonary hypertension and pulmonary fibrosis as a stem cell treatment.

7. By such actions Dr. Grekos has demonstrated a disconcerting disregard for the duties and responsibilities imposed upon a physician practicing in the State of Florida and for the health and welfare of his patients and the citizens of Florida.

8. In performing this prohibited procedure, and in knowingly violating the previously-issued ERO, Dr. Grekos has demonstrated a flagrant disregard for the

authority of the State Surgeon General and the health and safety of his patients. The fact that this act resulted in a death shows the serious nature of the threat posed by Dr. Grekos.

9. The fact that Dr. Grekos provided patient, R.P. with a stem cell treatment in violation of the emergency restriction placed upon his license makes it obvious that a less restrictive sanction, such as the previously-issued ERO is not sufficient to protect the public from the danger posed by his continued practice.

10. Nothing short of the immediate suspension of Dr. Grekos' license to practice medicine would be sufficient to protect the public from the danger of harm presented by Dr. Grekos.

11. Dr. Grekos' continued practice as a physician constitutes an immediate serious danger to the health, safety, or welfare of the public and this summary procedure is fair under the circumstances to adequately protect the public.

In accordance with Section 120.60(6), Florida Statutes (2011), it is ORDERED THAT:

1. The license of Zannos Grekos, M.D., license number ME 61912 is hereby immediately suspended.

2. A proceeding seeking formal suspension or discipline of the license of Zannos Grekos, 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 (2011).

DONE and ORDERED this 7th day of MARCH, 2012.



H. Frank Farmer, Jr., M.D., Ph.D., F.A.C.P.
State Surgeon General
Department of Health

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NOTICE OF RIGHT TO JUDICIAL REVIEW

Pursuant to Sections 120.60(6), and 120.68, Florida Statutes, the Department's findings of immediate danger, necessity, 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.

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