

# Discipline Narrative

**Name:** GIUSEPPINA BENINCASA-FEINGOLD      **Profession:** ME145717

**Date Action Taken:**

November 2, 2021

**DOH Case Number:** 2020-39435

**Allegation:**

Allegations that the Respondent had a license to practice acted against by the New York Board.

**Final Disciplinary Action:**

Pursuant to the Final Order the following penalties were imposed: Suspension until such time as the Respondent demonstrates to the Board that her license is unencumbered and free from any restrictions or conditions in any and all jurisdictions where she is licensed to practice; pay a fine in the amount of \$1,000.00 within thirty (30) days and pay costs in the amount of \$128.15 within thirty (30) days.

Final Order No. DOH-21-1495-~~FOI~~MQA  
FILED DATE - NOV 02 2021  
Department of Health  
By: *Aimee Maus*  
Deputy Agency Clerk

STATE OF FLORIDA  
BOARD OF MEDICINE

DEPARTMENT OF HEALTH,  
  
Petitioner,

vs.

DOH CASE NO.: 2020-39435  
LICENSE NO.: ME00145717

GIUSEPPINA BENINCASA-FEINGOLD, M.D.,  
  
Respondent.

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FINAL ORDER

THIS CAUSE came before the BOARD OF MEDICINE (Board) pursuant to Sections 120.569 and 120.57(2), Florida Statutes, on October 8, 2021, in Orlando, Florida, for consideration of the Administrative Complaint (attached hereto as Exhibit A) in the above-styled cause pursuant to Respondent's Election of Rights. At the hearing, Petitioner was represented by Sarah Corrigan, Assistant General Counsel. Respondent was not present and was not represented by counsel. The facts are not in dispute.

Upon consideration, it is ORDERED:

1. The allegations of fact set forth in the Administrative Complaint are approved and adopted and incorporated herein by reference as the findings of fact by the Board.

2. The conclusions of law alleged and set forth in the Administrative Complaint are approved and adopted and

incorporated herein by reference as the conclusions of law by the Board.

3. The violations set forth warrant disciplinary action by the Board.

THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED:

1. Respondent shall pay an administrative fine in the amount of \$1,000.00 to the Board within 30 days from the date the Final Order is filed. Said fine shall be paid by money order or cashier's check.

3. Respondent's license to practice medicine in the State of Florida is hereby **SUSPENDED** until such time as she demonstrates to the Board that her license is unencumbered and free from any restrictions or conditions in any and all jurisdictions where she is licensed. The Board retains jurisdiction in this matter to impose terms and conditions upon reinstatement of Respondent's license, including, but not limited to, a period of probation with said terms and conditions to be set at the time of reinstatement.

RULING ON MOTION TO ASSESS COSTS

The Board reviewed the Petitioner's Motion to Assess Costs and imposes the costs associated with this case in the amount of \$128.15. Said costs are to be paid within 30 days from the date this Final Order is filed.

(NOTE: SEE RULE 64B8-8.0011, FLORIDA ADMINISTRATIVE CODE. UNLESS OTHERWISE SPECIFIED BY FINAL ORDER, THE RULE SETS FORTH THE REQUIREMENTS FOR PERFORMANCE OF ALL PENALTIES CONTAINED IN THIS FINAL ORDER.)

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

DONE AND ORDERED this 29<sup>th</sup> day of October, 2021.

BOARD OF MEDICINE

*Paul A. Vazquez*

Paul A. Vazquez (Oct 29, 2021 13:31 EDT)

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Paul A. Vazquez, J.D., Executive Director  
For Zachariah P. Zachariah, M.D., Chair

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF HEALTH AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by **Certified Mail** to: Giuseppina Benincasa-Feingold, M.D., 680 Haverstraw Road, Suffern, NY 10901; by email to: Chad Dunn, Assistant General Counsel, Department of Health, at Chad.Dunn@flhealth.gov; and Edward A. Tellechea, Chief Assistant Attorney General, at Ed.Tellechea@myfloridalegal.com this 2<sup>nd</sup> day of November, 2021.

Aimee Maus

Giuseppina Benincasa-Feingold, M.D.  
680 Haverstraw Road  
Suffern, NY 10901

**Certified Article Number**

9414 7266 9904 2178 1384 98

**SENDER'S RECORD**

**STATE OF FLORIDA  
DEPARTMENT OF HEALTH**

**DEPARTMENT OF HEALTH,**

**PETITIONER,**

**v.**

**CASE NO. 2020-39435**

**GIUSEPPINA BENINCASA-FEINGOLD, M.D.,**

**RESPONDENT.**

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**ADMINISTRATIVE COMPLAINT**

Petitioner, Department of Health, by and through its undersigned counsel, hereby files this Administrative Complaint before the Board of Medicine against Respondent, Giuseppina Benincasa-Feingold, M.D., and in support thereof alleges:

1. Petitioner is the state agency charged with regulating the practice of medicine pursuant to section 20.43, Florida Statutes; chapter 456, Florida Statutes; and chapter 458, Florida Statutes.

2. At all times material to this Complaint, Respondent was a licensed medical doctor within the state of Florida, having been issued license number ME 145717.

3. Respondent's address of record is 680 Haverstraw Road, Suffern, New York 10901.

4. At all times material to this Complaint, Respondent was a licensed medical doctor within the state of New York, having been issued license number 182780.

5. The New York State Board for Professional Medical Conduct (hereinafter "New York Board") is the licensing authority charged with regulating the practice of medicine in New York.

6. On or about December 10, 2020, the New York Board imposed a Consent Order disciplining Respondent's New York medical license for negligence and failure to maintain records.

7. The Consent Order imposed by the New York Board constitutes action against Respondent's license to practice medicine in New York.

8. Section 458.331(1)(b), Florida Statutes (2020), sets forth grounds for disciplinary action by the Board of Medicine and provides that having a license or the authority to practice medicine revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another jurisdiction constitutes grounds for discipline.

9. Based on the foregoing Respondent has violated section 458.331(1)(b), Florida Statutes (2020), by having his license acted against by the licensing authority of New York.



WHEREFORE, the Petitioner respectfully requests that the Board of Medicine enter an order imposing one or more of the following penalties: permanent revocation or suspension of Respondent's license, restriction of practice, imposition of an administrative fine, issuance of a reprimand, placement of Respondent on probation, corrective action, refund of fees billed or collected, remedial education and/or any other relief that the Board deems appropriate.

SIGNED this 11<sup>th</sup> day of May, 2021.

Scott Rivkees  
State Surgeon General

*Sarah Corrigan*

**FILED**

DEPARTMENT OF HEALTH  
DEPUTY CLERK

CLERK: *Annelle Morris*  
DATE: MAY 11 2021

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Sarah Corrigan  
Assistant General Counsel  
DOH Prosecution Services Unit  
4052 Bald Cypress Way, Bin C-65  
Tallahassee, Florida 32399-3265  
Florida Bar Number 0085797  
(850) 245 - 4640 Telephone  
(850) 558 - 9828 Facsimile

SF

PCP: May 7, 2021

PCP Members: Gary Dolin, M.D.; Eleonor Pimentel, M.D.; Andrez Perez

### **NOTICE OF RIGHTS**

**Respondent has the right to request a hearing to be conducted in accordance with Section 120.569 and 120.57, Florida Statutes, to be represented by counsel or other qualified representative, to present evidence and argument, to call and cross-examine witnesses and to have subpoena and subpoena duces tecum issued on his or her behalf if a hearing is requested. A request or petition for an administrative hearing must be in writing and must be received by the Department within 21 days from the day Respondent received the Administrative Complaint, pursuant to Rule 28-106.111(2), Florida Administrative Code. If Respondent fails to request a hearing within 21 days of receipt of this Administrative Complaint, Respondent waives the right to request a hearing on the facts alleged in this Administrative Complaint pursuant to Rule 28-106.111(4), Florida Administrative Code. Any request for an administrative proceeding to challenge or contest the material facts or charges contained in the Administrative Complaint must conform to Rule 28-106.2015(5), Florida Administrative Code.**

**Please be advised that mediation under Section 120.573, Florida Statutes, is not available for administrative disputes involving this agency action.**

### **NOTICE REGARDING ASSESSMENT OF COSTS**

**Respondent is placed on notice that Petitioner has incurred costs related to the investigation and prosecution of this matter. Pursuant to Section 456.072(4), Florida Statutes, the Board shall assess costs related to the investigation and prosecution of a disciplinary matter, which may include attorney hours and costs, on the Respondent in addition any other discipline imposed.**