



COLORADO

Department of
Regulatory Agencies

Division of Professions and Occupations

December 22, 2022

Marvin Sponaugle, M.D.
300 State Street E
Oldsmar, FL 34677

Re: License Number: DR.59537
Case Number: 2022-8447

Dear Dr. Sponaugle,

The Colorado Medical Board has concluded its inquiry into the aforementioned matter. It was the Panel's decision not to commence with formal proceedings against your professional license. However, the Panel did determine disciplinary action in the form of this letter of admonition is warranted.

As you know, on July 1, 2022, the Florida Department of Health reached a settlement agreement with you by which you agreed to the Florida Board of Medicine ("Florida Board") disciplining your license related to your treatment of Patients 1 and 2. Patient 1 presented to you with complex symptoms and preexisting diagnoses, you did not document a physical exam or a review of Patient 1's records, you diagnosed Patient 1 with certain conditions without documenting clear reasoning for those diagnoses, you ordered a treatment plan without documenting clear reasoning for it or how it would treat Patient 1's symptoms, your progress notes were insufficient, and you failed to refer Patient 1 to the emergency room when symptoms worsened. Patient 2 presented with Lyme disease-like symptoms, you failed to perform a thorough history and physical examination, order appropriate lab testing, or refer Patient 2 to another provider. The Florida Board thus concluded you failed to adequately treat and document the treatment of Patients 1 and 2 in violation of Florida law. Your Florida license was publicly reprimanded, you agreed to pay a \$15,000 fine, you agreed to reimburse investigative costs of \$26,410.80, you were placed on probation for two years, you agreed to have a practice monitor, and you agreed to undergo coursework on ethics, risk management, recognizing and treating pancreatitis, and recognizing and treating infectious diseases. You agreed that this disposition was fair, appropriate, and acceptable to you.

After consideration of the information in this case, the Panel finds that you committed unprofessional conduct, in violation of section 12-240-121(1)(j) of the Colorado Revised Statutes. Specifically, by failing to adequately treat Patients 1 and 2 and by failing to adequately document the bases for your diagnoses and treatment recommendations, you failed to meet generally accepted standards of medical practice.

By this letter, the Board takes the formal disciplinary action of admonishing you for the conduct specified above and warns you that repetition of such practice may lead to imposition of more severe disciplinary action. This letter is an open public record and a reportable action to individuals or entities requesting disciplinary information. The Board strongly encourages you to review and understand the Medical Practice Act requirements and obligations for the practice of medicine in Colorado.

In accordance with 12-20-404(4)(b), the Board advises you that you have the right to make a written request that the Board initiate formal disciplinary proceedings in order to adjudicate the conduct or acts upon which this letter is based. You must make your written request within twenty (20) days after


receipt of this letter and address your request to Paula E. Martinez, Program Director at paula.martinez@state.co.us. If you make a timely request, the Board will deem this letter of admonition vacated and may proceed with disciplinary and/or injunctive proceedings in accordance with 12-20-404(4)(b)(II), C.R.S., and applicable rules.

A Letter of Admonition, when accepted, becomes a permanent, public portion of your record. It is not, however, a restriction on your practice as a professional physician.

If you have further questions or concerns, please visit our website at <https://www.colorado.gov/dora/dpo> or you can contact our office at dora_medicalboard@state.co.us or by calling (303) 894-7716.

Sincerely,

FOR THE COLORADO MEDICAL BOARD
WITH DELEGATED AUTHORITY FROM INQUIRY PANEL B



Paula E. Martinez
Program Director

cc: Bruce D. Lamb, Esq.

Please complete a short survey at <https://www.surveymonkey.com/r/B5JR27T> regarding aspects of the service you received. Your anonymous response will be used to evaluate the service experience and to identify areas where improvements may be appropriate.

Notice

Your Healthcare Professions Profile will be updated to reflect this Colorado public action. Pursuant to section 12-30-102, C.R.S., your profile must be updated within 30 days of any reportable event. To ensure compliance, you must regularly review and update your profile. To access your profile, go to www.colorado.gov/dora/hppp and click the "Create/Update a Profile" link. For any questions, please contact dora_dpo_hppp@state.co.us.