

**IN AND BEFORE THE OKLAHOMA STATE BOARD
OF MEDICAL LICENSURE AND SUPERVISION
STATE OF OKLAHOMA**

FILED

MAY 28 2004

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA)
EX REL. THE OKLAHOMA BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)
)
Plaintiff,)
)
v.)
)
PAUL LOPEZ RODRIGUEZ, M.D.,)
MEDICAL LICENSE NO. 10166,)
)
Defendant.)

Case No. 04-03-2777

COMPLAINT

COMES NOW the Plaintiff, the State of Oklahoma ex rel. the Oklahoma State Board of Medical Licensure and Supervision (the "Board"), by and through its attorney, Elizabeth A. Scott, Assistant Attorney General, and for its Complaint against the Defendant, Paul Lopez Rodriguez, M.D., alleges and states as follows:

1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physicians and surgeons in the State of Oklahoma pursuant to 59 Okla. Stat. § 480 *et seq.*

2. Defendant, Paul Lopez Rodriguez, M.D, holds Oklahoma medical license no. 10166 and is a practicing radiologist in Elk City, Oklahoma.

3. Beginning in mid-2003 and continuing through January 30, 2004, Defendant allowed Randy Jones, an unlicensed individual, to operate a laser owned by Defendant and treat patients in Tulsa, Oklahoma at a business known as Natural Images. Defendant admits that he was never present during any of the laser procedures, nor did he ever review any charts or records or perform physical examinations of patients receiving laser treatments prior to the procedures.

4. According to his agreement with Mr. Jones, Defendant was to be paid a percentage of the revenues from the use of the laser. Mr. Jones represented himself as a physician assistant, but in fact, was not licensed as a physician assistant in the State of Oklahoma.

5. During the time that Defendant allowed Mr. Jones to treat patients with his laser in Tulsa, Oklahoma, Defendant wrote or authorized at least thirty-three (33) prescriptions for both non-controlled and controlled drugs in the name of Natural Images. The controlled drugs included at least seven (7) prescriptions for liquid Diazepam. Pharmacy records reflect that on at least three (3) occasions, the pharmacist in Tulsa contacted Defendant in Elk City for Defendant's authorization for the Diazepam, which was given by Defendant. The prescriptions were then picked up by Mr. Jones or another employee of Natural Images in Tulsa.

6. Based on the allegations stated above, Defendant is guilty of unprofessional conduct as follows:

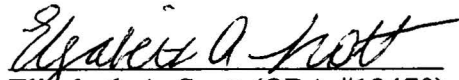
- A. Violated, directly or indirectly, the provisions of the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act, and the rules and regulations of the Board, either as a principal, accessory or accomplice in violation of 59 Okla. Stat. §509(14) and OAC 435:10-7-4(39).
- B. Aided or abetted the practice of medicine and surgery by an unlicensed, incompetent, or impaired person in violation of OAC 435:10-7-4(21).
- C. Aided or abetted, directly or indirectly, the practice of medicine by any person not duly authorized under the laws of this state in violation of 59 O.S. §509(15).
- D. Engaged in conduct which is likely to deceive, defraud or harm the public in violation of 59 O.S. §509(9) and OAC 435:10-7-4(11).
- E. Prescribed or administered a drug or treatment without sufficient examination and the establishment of a valid physician patient relationship in violation of 59 O.S. §509(13).
- F. Violated any state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).
- G. Failed to maintain an office record for each patient which accurately reflects the evaluation, treatment, and medical necessity of treatment of the patient in violation of 59 O.S. §509(19).
- H. Engaged in the indiscriminate or excessive prescribing, dispensing or administering of Controlled or Narcotic drugs in violation of OAC 435:10-7-4(1).

- I. Dispensed, prescribed or administered a Controlled substance or Narcotic drug without medical need in violation of OAC 435:10-7-4(6).
- J. Directly or indirectly gave or received any fee, commission, rebate, or other compensation for professional services not actually and personally rendered in violation of OAC 435:10-7-4(30).

WHEREFORE, plaintiff requests that the Board conduct a hearing, and upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation, the assessment of costs and fees incurred in this action, and any other appropriate action with respect to Defendant's license to practice as a physician and surgeon in the State of Oklahoma.

Dated this 27th day of May, 2004 at 2:45 p.m.

Respectfully submitted,



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Oklahoma State Board of Medical Licensure
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