

November 19, 1985 through April 4, 1986, for an average of 10.29 dosage units per day.

6. That the survey reveals that patient J.S. received approximately 8 prescriptions for a total of 1,000 dosage units of Xanax from February 14, 1986 through April 25, 1986, for an average of 14.25 dosage units per day.

7. That the survey reveals that patient L.B. received 6 prescriptions for a total of 1,125 dosage units of Xanax from November 12, 1985 through February 4, 1986, for an average of 13.39 dosage units per day.

8. That the aforesaid patient records and records of other patients reveal that scheduled drugs were being prescribed in excess of the amount considered for the medical need presented.

9. That the Defendant has changed internal procedures in his office and that he now keeps complete and accurate records of the purchase and disposal of controlled drugs and of narcotic drugs.

CONCLUSION OF LAW

1. That Michael E. Serjeant, M.D., holding Oklahoma Medical License No. 10691, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, §509, Paragraph 17, to-wit:

"17. Prescribing, dispensing or administering of controlled substances or narcotic drugs in excess of the amount considered good medical practice, or prescribing, dispensing or administering controlled substances or narcotic drugs without medical need in accordance with published standards."

2. That Michael E. Sergeant, M.D., is in violation of the Rules and Regulations promulgated by this Board, specifically Section IX, Rules 1, 2 and 6, to-wit:

"Rule 1: Indiscriminate or excessive prescribing, dispensing or administering of Controlled or Narcotic drugs."

"Rule 2: Prescribing, dispensing or administering of Controlled or Narcotic drugs in excess of the amount considered good medical practice."

"Rule 6: Dispensing, prescribing or administering a Controlled substance or Narcotic drug without medical need."

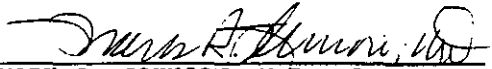
ORDER

IT IS THEREFORE ORDERED BY THE Board of Medical Examiners of Oklahoma as follows:

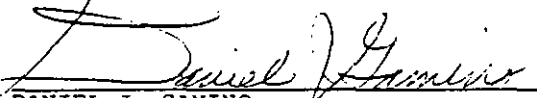
1. That the Defendant, Michael E. Serjeant, M.D., holding Oklahoma Medical License 10691, be and is hereby placed on probation to the Oklahoma State Board of Medical Examiners for a period of five years, beginning on September 5, 1986, under the following terms and conditions:

- (a) That within six months of the date, September 5, 1986, the Defendant must obtain formal certification as an authorized clinical investigator of the disease, agoraphobia, being treated with a controlled dangerous substance Xanax, or, in the alternative, the Defendant must immediately cease and desist prescribing Xanax or any other controlled dangerous substance in amounts in excess of guidelines set forth by the manufacturer and the United States Food and Drug Administration.
- (b) That during the period of probation Defendant will furnish to the Office of the Oklahoma State Board of Medical Examiners all current legal addresses and any change of address in writing.
- (c) Defendant shall appear before the Oklahoma Board of Medical Examiners or any designated member thereof whenever requested to do so.
- (d) That the Defendant shall keep the Board apprised of his status and the Board retains continuing jurisdiction to review prescriptions of controlled dangerous substances prescribed, administered or dispensed by the Defendant during this term of probation.

DATED this 6th day of October, 1986.


MARK R. JOHNSON, M.D., Secretary
State Board of Medical Examiners

APPROVED AS TO FORM:


DANIEL J. GAMINO
Daniel J. Gamino & Associates, P.C.
3315 Northwest 63rd Street
Oklahoma City, Oklahoma 73116
(405) 840-3741
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF MAILING

I hereby certify that on the 7th day of October, 1986, I deposited in the U. S. Mails, postage prepaid, a true and correct copy of the above and foregoing Final Order addressed to:

Michael E. Serjeant, M.D.
c/o Eastmoor Doctors Clinics
1501 Southeast 4th, Suite C
Moore, Oklahoma


DANIEL J. GAMINO