

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

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel,)
OKLAHOMA STATE BOARD OF)
MEDICAL LICENSURE AND)
SUPERVISION,)
)
Plaintiff,)
)
v.) CASE NO. 95-08-1735
)
DAVID LEE TRENT, M.D.)
Medical License No. 10794,)
)
Defendant.)

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on January 20, 1996, at the office of the Oklahoma State Board of Medical Licensure and Supervision, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Daniel J. Gamino, Attorney, appeared for the Plaintiff; and David Lee Trent, M.D., Defendant, appeared in person along with legal counsel, Clyde Kirk, Attorney at Law, Stipe, Gossett, Stipe and Harper, P.O. Box 1368, McAlester, OK 74501.

The Oklahoma Board of Medical Licensure and Supervision en banc heard sworn testimony, reviewed exhibits, heard argument of counsel, and being fully advised in the premises, the Oklahoma Board of Medical Licensure and Supervision finds and orders as follows:

FINDINGS OF FACT

1. That Defendant, David Lee Trent, M.D., holds Oklahoma Medical License No. 10794.

2. That the Oklahoma Board of Medical Licensure and Supervision en banc has jurisdiction over the subject matter herein and that notice has been given in all respects as required by law and the rules of the Board.

3. That on or around September 13, 1993, following notice and hearing, the Oklahoma Bureau of Narcotics and Dangerous Drugs did REVOKE Defendant's registration to prescribe, administer or dispense controlled dangerous substances. With Defendant's registration revoked, Defendant had no further legal authority to prescribe, administer or dispense any controlled dangerous substances to any person.

4. That a subsequent pharmacy survey conducted in McAlester and Wilburton, Oklahoma, disclosed that Defendant did write or telephone in seven prescriptions for various controlled dangerous substances during the period of time he had no lawful registration with the Oklahoma Bureau of Narcotics and Dangerous Drugs.

5. That the prescriptions for controlled dangerous substances in question include the following, to-wit:

<u>Date</u>	<u>Drug</u>	<u>Patient Initials</u>	<u>Pharmacy</u>
9/23/93	Xanax-1.0mg.	K.B.	Medicine Shoppe
9/23/93	Xanax-0.5mg.	K.B.	Medicine Shoppe
11/2/93	Phenobarbital-30mg.	V.E.	Roy's Discount Pharm.
12/11/93	Phenobarbital-30mg.	B.W.	Roy's Discount Pharm.
12/15/93	Temazepam-15mg.	G.M.	Roy's Discount Pharm.
12/23/93	Tussi-Organidin	F.K.	Roy's Discount Pharm.
2/19/94	Phenobarbital-30mg.	V.E.	Roy's Discount Pharm.

6. That each of the aforesaid prescriptions is a separate violation of Oklahoma State law, 63 O.S. 1991, Sec. 2-302 and Sec. 2-401 et seq.

7. That Defendant Trent is perpetuating significant harm to public health, safety and welfare by continuing the acts and omissions and admissions set forth in the above allegations.

CONCLUSIONS OF LAW

1. That David Lee Trent, M.D., holding Oklahoma Medical License No. 10794, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1991, Sec. 509, Paragraphs 9 and 10, to-wit:

"9. Dishonorable or immoral conduct which is likely to deceive or defraud the public."

"10. The commission of any act which is a violation of the criminal laws of Oklahoma when such act is connected with the physician's practice of medicine. A complaint, indictment or confession of a criminal violation shall not be necessary for the enforcement of this provision. Proof of the commission of the act while in the practice of medicine or under the guise of the practice of medicine shall be unprofessional conduct."

2. That Defendant Trent is also in violation of the rules and regulations promulgated by this Board, specifically Rule 435:10-7-4 (27), to-wit:

"The Board has the authority to revoke or take other disciplinary action against a licensee or certificate holder for unprofessional conduct. Pursuant to 59 O.S. 1991, Sec. 509, "Unprofessional Conduct" shall be considered to include:

"(27) Violating any state or federal law or regulation relating to controlled substances."

ORDER

IT IS THEREFORE ORDERED by the Oklahoma Board of Medical Licensure and Supervision as follows:

1. That the Defendant, David Lee Trent, M.D., holding Oklahoma Medical License No. 10794, should be and is hereby FORMALLY REPRIMANDED for the conduct set forth above.

2. That the Defendant remains on probation to the Oklahoma Board of Medical Licensure and Supervision for a period of five

(5) years beginning on January 8, 1993, under terms and conditions issued in Case No. 88-06-601.

DATED this 25 day of January, 1996.

Gerald Zumwalt
GERALD C. ZUMWALT, M.D., Secretary
State Board of Medical Licensure
and Supervision

APPROVED AS TO FORM:

Daniel J. Gamino
DANIEL J. GAMINO OBA #3227
Daniel J. Gamino & Associates, P.C.
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ATTORNEY FOR PLAINTIFF

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this 26 day of January, 1996, to:

CLYDE KIRK
Stipe, Gossett, Stipe & Harper
P.O. Box 1368
McAlester, OK 74501

Janet L. Owens