

IN AND BEFORE THE STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION

STATE OF OKLAHOMA

FILED

OCT 20 1987

STATE OF OKLAHOMA, ex rel,)
OKLAHOMA STATE BOARD OF)
MEDICAL LICENSURE AND)
SUPERVISION,)
Plaintiff,)

STATE BOARD OF
MEDICAL EXAMINERS

v.)
WILLIAM PATRICK MAPPES, M.D.,)
Medical License No. 10934,)
Defendant.)

CASE NO. 84-6-360

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision en banc on the 11th day of September, 1987, at 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 William Patrick Mappes, M.D., Defendant, appeared in person without counsel and agreed to proceed, waiving his right to representation by legal counsel.

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

FINDINGS OF FACT

1. That William Patrick Mappes, M.D., holds Oklahoma Medical License No. 10934.

2. That the 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.

1. That on or around April 30, 1987, following notice and hearing, William Patrick Mappes, M.D., Oklahoma Medical License No. 10934, received an Order Reinstating Medical License Under Limited Conditions from the Oklahoma Board of Medical Examiners en banc.

2. Said Order continued and affirmed the reinstatement of the Defendant's medical license by the Board Secretary on April 9, 1987, pursuant to specific authorization of the Board.

3. Said Order further provided that the Defendant's medical license was reinstated on probation under terms originally imposed by the Board of October 1, 1985, and amended in the Order following the hearing of April 30, 1987. Some of the terms and conditions of probation imposed in the Order following the hearing of April 30, 1987, were as follows:

(b) During the period of probation Defendant will not prescribe, administer or dispense any medication for his personal use, to include controlled dangerous substances.

(c) During the period of probation Defendant will take no medication except that which is

authorized by a physician treating him for a legitimate medical need and Defendant shall have an affirmative duty to inform any physician treating him of Defendant's previous use of cocaine.

(d) During the period of probation Defendant will abstain from consuming alcohol or any substance which would adversely affect his ability to practice medicine or surgery as interpreted by the Oklahoma State Board of Medical Examiners.

(1) Defendant recognizes the terms of probation may be revoked at any time if the Board, upon further notice and hearing, concludes that he violated any terms or conditions thereof."

4. Said Order issued following notice and hearing of April 30, 1987, has remained in full force and effect and has not been further modified or amended by the Oklahoma Board of Medical Examiners to date.

5. That on or around July 6, 1987, the Defendant submitted a urine sample to Jerry Landreth, Investigator for the Oklahoma State Board of Medical Licensure and Supervision, and said sample was submitted for analysis to Medical Arts Laboratory, Oklahoma City, Oklahoma.

6. On July 16, 1987, John Wayne Soper, PhD, DABCC, FAIC, reported that the urine sample was positive for the barbiturate compound Butalbital. The identification was first made with an Emit Barbiturate Screen and then confirmed with Thin Layer Chromatography. The identification was completed by the use of gas chromatography/mass spectroscopy (GC/MS).

7. That Defendant did not produce any prescription for Butalbital being prescribed by a physician treating him who was aware of the Defendant's previous abuse of substances.

8. That the presence of Butalbital in the Defendant's urine indicates that he ingested same and that said substance would adversely affect his ability to practice medicine or surgery as interpreted by the Oklahoma State Board of Medical Licensure and Supervision.

9. That the Defendant's action in ingesting Butalbital as recognized by these laboratory analysis is contrary to the plain terms and conditions of the Order Reinstating Medical License Under Limited Conditions.

CONCLUSIONS OF LAW

1. That William Patrick Mappes, M.D., holding Oklahoma Medical License No. 10934, is in violation of the Order Reinstating Medical License Under Limited Conditions.

ORDER

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

1. That the medical license of Defendant William Patrick Mappes, M.D., License No. 10934, will be and is hereby placed on suspension for a period of 48 hours from 5:00 p.m., September 11, 1987, to conclude at 5:00 p.m., on September 13, 1987.

2. That upon the reinstatement of the Defendant's Oklahoma medical license at 5:00 p.m. on September 13, 1987, said license is hereby placed on probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of five (5) years,

beginning on September 13, 1987, under the following terms and conditions:

- (a) That said license is reinstated only to allow the Defendant to practice psychiatry in association with Hal Chandler, M.D., and only for so long a time as Dr. Hal Chandler agrees to supervise the professional activities of the Defendant.
- (b) During the period of probation Defendant will not prescribe, administer or dispense any medication for his personal use, to include controlled dangerous substances.
- (c) During the period of probation Defendant will take no medication except that which is authorized by a physician treating him for a legitimate medical need and Defendant shall have an affirmative duty to inform any physician treating him of Defendant's previous use of cocaine.
- (d) During the period of probation Defendant will abstain from consuming alcohol or any substance which would adversely affect his ability to practice medicine or surgery as interpreted by the Oklahoma State Board of Medical Licensure and Supervision.
- (e) That Defendant may prescribe controlled dangerous substances only on serially numbered, duplicate prescription pads and shall make the copies available to representatives of the Oklahoma State Board of Medical Licensure and Supervision at their request.
- (f) Defendant shall not administer or dispense any controlled dangerous substances.
- (g) During the period of probation Defendant will submit biological fluid specimens to include, but not limited to, blood and urine, for analysis, upon request of any inspector or other agent representing the Oklahoma State Board of Medical Licensure and Supervision, and Defendant will pay for necessary testing and analysis of those specimens.
- (h) During the period of probation Defendant will continue under psychiatric care and authorize said physician to report to the Board periodically on Defendant's progress and to continue all supportive programs recommended thereby.
- (i) During the period of probation Defendant will furnish to the office of the State Board of Medical Licensure and Supervision all current legal addresses and any change of address in writing.
- (j) That Defendant shall appear before the Board or a designated member thereof whenever requested to do so.
- (k) Defendant recognizes the terms of probation may be revoked at any time if the Board, upon further notice and hearing,

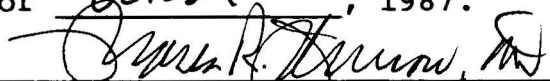
concludes that he violated any terms or conditions thereof.

(l) During the period of probation Defendant will submit to the Investigative Division of the Oklahoma State Board of Medical Licensure and Supervision any required reports and forms on a timely and prompt basis.


(m) Pursuant to Section 26, H.B. 1478, 1987 Legislature, Defendant shall promptly pay upon receipt of invoice from the Investigative Division of the Board the costs of investigation, prosecution and probation of this case.

2. That the jurisdiction of the Board in this individual proceeding will continue until the terms and conditions of probation are modified or lifted by the Oklahoma Board of Medical Licensure and Supervision on their own motion or on the motion of the Defendant.

DATED this 19th day of October, 1987.


MARK R. JOHNSON, M.D., Secretary
State Board of Medical Licensure
and Supervision

APPROVED AS TO FORM


DANIEL J. GAMINO OBA #3227
Daniel J. Gamino & Associates, P.C.
3315 NW 63
Oklahoma City, OK 73116
(405) 840-3741
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 20 day of October, 1987, to:

William Patrick Mappes, M.D.

3201 NW 63

OK14 73116

