

IN AND BEFORE THE STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION

STATE OF OKLAHOMA

**FILED**

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

MAY 27 1988

Plaintiff, )

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

v. )

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

CASE NO. 84-6-360

Defendant. )

SECOND  
FINAL ORDER  
ON SECOND COMPLAINT OF CONTEMPT

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision en banc on the 14th day of May, 1988, at the office of the Oklahoma State Medical Association, 601 NW Expressway, 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, pro se.

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

FINDINGS OF FACT

1. That Defendant, 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.

3. That on or around October 20, 1987, following notice and hearing, William Patrick Mappes, M.D., Oklahoma Medical License No. 10934, received a true and correct copy of Final Order from the Oklahoma Board of Medical Licensure and Supervision concerning proceedings held on September 11, 1987.

4. Said Order provided that Defendant's medical license was placed on suspension for a period of 48 hours from 5:00 p.m. on September 11, 1987, to conclude at 5:00 p.m. on September 13, 1987, and said Order also placed Defendant's Oklahoma medical license on probation for a period of five years under certain enumerated terms and conditions which included the following, to-wit:

"(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.
- (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."

5. Said Order has remained in full force and effect and has not been further modified or amended by the Oklahoma Board of Medical Licensure and Supervision to date.

6. That on or around November 27, 1987, the Defendant did use the controlled dangerous substance Ionamin (Phentermine) and said medication was not authorized by any physician treating the Defendant for any legitimate medical need.

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

8. That the Defendant's action in ingesting Ionamine (Phentermine) is contrary to the plain terms and conditions of the Final Order issued by the Board.

9. That the Defendant requests amendment in the terms and conditions of probation, specifically in paragraph 1(a) which limits him to practice psychiatry only 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. Since the imposition of that term of probation, the Defendant now desires to practice psychiatry outside any association with Dr. Chandler.

10. The Board found that said amendment of the terms and conditions of probation could be made and still protect public health, safety and welfare, and Dr. Chandler would still informally review any professional activities of the Defendant.

#### 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 issued by the Board following notice and hearing on or around April 30, 1987.

#### ORDER

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

1. That upon the reinstatement of 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) During the period of probation Defendant will not prescribe, administer or dispense

any medication for his personal use, to include controlled dangerous substances.

(b) 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.

(c) 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.

(d) 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.

(e) Defendant shall not administer or dispense any controlled dangerous substances

(f) 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.

(g) During the period of probation Defendant will continue under the regular, psychiatric care of Dr. Boyd Lester and any of Defendant's subsequent behavior which causes Dr. Lester to discharge the Defendant will require an immediate response by the Board and possible revocation, suspension, and/or modification of terms of probation. Hereunder the Defendant does hereby specifically waive the normal physician/patient confidential relationship insofar as authorizing Dr. Lester to communicate records of treatment and conduct to the Board.

(h) 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.

(i) That Defendant shall appear before the Board or a designated member thereof whenever requested to do so.

(j) 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.


(k) 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.

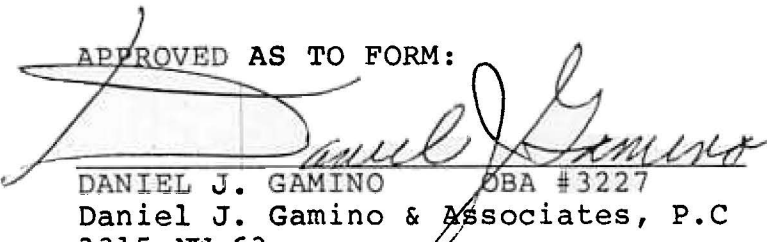
(1) Pursuant to Section 26, H.B. 1478, 1987 Legislature, Defendant shall promptly pay upon receipt of invoice from the Investigative Division of the Board the costs of investigation, prosecution and probation of this case.

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 27<sup>th</sup> day of May, 1988.

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

APPROVED AS TO FORM:

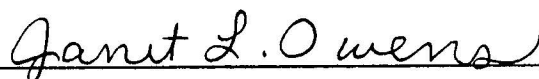
  
DANIEL J. GAMINO OBA #3227  
Daniel J. Gamino & Associates, P.C  
3315 NW 63  
Oklahoma City, OK 73116  
(405) 840-3741  
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this 27 day of May, 1988, to:

WILLIAM PATRICK MAPPES, M.D.

3201 NW 63  
OKLA CITY  
73116

  
Janet L. Owens