

IN AND BEFORE THE 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. 86-5-432

JONE KENDRICK, M.D.,
Medical License No. 10986,

Defendant.)

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 Jone Kendrick, M.D., Defendant, appeared in person without counsel and agreed to proceed, waiving her 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 Jone Kendrick, M.D., holds Oklahoma Medical License No. 10986.

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 from September 1, 1986, through February 6, 1987, Dr. Kendrick wrote approximately 129 prescriptions for 8,428 dosage units of Schedule II drugs and 238 prescriptions for a total of approximately 12,251 dosage units of Schedule III, IV, and V drugs.

4. That a prescription survey conducted in reference to certain scheduled drugs reveals that patient G.G. received approximately 85 prescriptions for 4,071 dosage units of scheduled drugs from August 4, 1986, through January 5, 1987, a period of 155 days for an average of 26.96 dosage units per day.

5. That the survey reveals that patient A.H. received 16 prescriptions for a total of 1,460 dosage units of scheduled drugs from August 4, 1986, through January 22, 1987, a total of 172 days for an average of 8.48 dosage units per day.

6. That the survey reveals that patient J.H. received 14 prescriptions for a total of 910 dosage units of scheduled drugs during the time period August 21, 1986, through February 4, 1987, a period of 181 days for an average of 5.02 dosage units per day.

7. That the survey reveals that patient J.L. received 11 prescriptions for a total of 990 dosage units of scheduled drugs

during the time period August 19, 1986, through February 4, 1987, a period of 168 days for an average of 5.89 dosage units per day.

8. That additional patient records, and the prescription survey, reveal that scheduled drugs were being prescribed in excess of the amount considered for the medical need presented.

CONCLUSIONS OF LAW

1. That Jone Kendrick, M.D., holding Oklahoma Medical License No. 10986, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, Paragraph 17, to-wit:

"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 Jone Kendrick, 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 Oklahoma Board of Medical Licensure and Supervision as follows:

1. That the Defendant, Jone Kendrick, M.D., License No. 10986, will be and is hereby placed on probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of three (3) years, beginning on September 11, 1987, under the following terms and conditions:

(a) That during the period of probation Defendant may prescribe controlled dangerous substances only on serially numbered, duplicate prescription pads and shall make the copies available to Investigators of the Oklahoma State Board of Medical Licensure and Supervision at their request.

(b) During the period of probation Defendant will not prescribe, administer or dispense any medications for her personal use, or that of her immediate family, to specifically include controlled dangerous substances.

(c) During the period of probation Defendant will reduce the overall number of controlled dangerous substance prescriptions being written for all patients to levels consistent with good medical practice.

(d) During the period of probation Defendant will reduce the duration of time that patients are retained on controlled dangerous

substances prescribed to the minimum consistent with medical need.

(e) During the period of probation Defendant will furnish to the office of the Oklahoma State Board of Medical Licensure and Supervision all current legal addresses and any change of address in writing.

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

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

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

(i) That violation of any of the terms and conditions of probation shall be grounds for additional charges to be presented to the Board after notice to the Defendant.

2. Jurisdiction of the Board in this individual proceeding will continue in this matter until lifted by the Oklahoma State Board of Medical Licensure and Supervision on their own motion or on the motion of the Defendant.

3. Failure to meet any of the above terms of probation will constitute cause for the Board to initiate proceedings to suspend or revoke her Oklahoma medical license, after due notice and hearing.

DATED this 11th day of September, 1987.

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

~~APPROVED AS TO FORM:~~
Daniel J. Gamino
DANIEL J. GAMINO OBA #3227
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(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 _____ day of _____, 1987, to:

Jone Kendrick, M.D.

*Served by Inspector Mosshart
by hand delivery
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