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

STATE OF OKLAHOMA

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

Plaintiff,

Defendant.

v.

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THOMAS A. DIXON, M.D. Medical License No. 11395, CASE NO. 94-03-1590

COMPLAINT

COMES NOW Steve Washbourne, Investigator for the Oklahoma State Board of Medical Licensure and Supervision, being first duly sworn upon oath and states:

 That Thomas A. Dixon, M.D., holding Oklahoma Medical License No. 11395, is in violation of the Oklahoma Medical Practice Act, 59 O.S. Supp. 1993, Sec. 509, Paragraphs 5, 10, 11, 12, 13, 16, and 17, to-wit:

- "5. Habitual intemperance or the habitual use of habit-forming drugs."
- "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."
- "11. Failure to keep complete and accurate records of purchase and disposal of controlled drugs or of narcotic drugs."
- "12. The writing of false or fictitious prescriptions for any drugs or narcotics declared by the laws of Oklahoma to be controlled or narcotic drugs."
- "13. Prescribe or administer a drug or treatment without sufficient examination and the establishment of a valid physician-patient relationship."
- "16. Inability to practice medicine with reasonable skill and safety to patients by reason of age, illness, drunkenness, excessive use of drugs, narcotics, chemicals,

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or any other type of material or as a result of any mental or physical condition."

"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."

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2. That Thomas A. Dixon, M.D., is in violation of the Rules and Regulations promulgated by this Board, specifically Rule 435:10-7-4 (1), (2), (3), (5), and (6), to-wit:

- "(1) Indiscriminate or excessive prescribing, dispensing or administering of controlled or narcotic drugs."
- "(2) Prescribing, dispensing or administering of controlled or narcotic drugs in excess of the amount considered good medical practice."
- "(3) The habitual or excessive use of any drug which impairs the ability to practice medicine with reasonable skill and safety to the patient."
- "(5) Purchasing or prescribing any regulated substance in Schedule I through V, as defined by the Uniform Controlled Dangerous Substances Act, for the physician's personal use."
- "(6) Dispensing, prescribing or administering a controlled substance or narcotic drug without medical need."

3. That from 1992 to date, Defendant did habitually use controlled dangerous substances to include Valium, Vicodin, Lortab, Xanax, Esgic, Diazepam, Alprazolam, Butalbitol APAP with Caffeine, Phentermine, Lorcet Plus, and Hydrocodone, to the extent that Defendant was rendered impaired in the discharge of his duties as a physician and surgeon.

4. That from 1992 to date, Defendant was unable to practice medicine with reasonable skill and safety to patients by reason of excessive use of drugs, narcotics or other chemicals.

5. That from 1992 to date, the Defendant did undertake various schemes and practices to unlawfully obtain controlled dangerous substance for his own personal use by writing false prescriptions for controlled dangerous substances to family members and employees without medical need, without sufficient examination and the establishment of a valid physician-patient

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relationship, without maintaining patient records, and without keeping complete and accurate records of his purchase and disposal of controlled dangerous substances.

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

WHEREFORE, Complainant prays this Board to conduct a hearing and upon proof of the allegations contained herein that such disciplinary action be taken by the Board as is authorized by law.

Steve Washbourne, Investigator 2:30 p.m. Oklahoma State Board of Medical Licensure and Supervision

Subscribed and sworn to before me this 5^{+h} day of 4pnl, 1994.

Janet & Owens

My Commission expires:

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