

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

FILED

**STATE OF OKLAHOMA
EX REL. THE OKLAHOMA BOARD
OF MEDICAL LICENSURE
AND SUPERVISION,**

MAY 3 2002

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff,

v.

Case No. 92-10-1435

**STANLEY SCOTT HANAN, M.D.,
MEDICAL LICENSE NO. 11542,**

Defendant.

COMPLAINT

COMES NOW the Plaintiff, the State of Oklahoma ex rel. the Oklahoma State Board of Medical Licensure and Supervision (the "Board"), by and through its attorney, Elizabeth A. Scott, Assistant Attorney General, and for its Complaint against the Defendant, Stanley Scott Hanan, M.D., alleges and states as follows:

1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physicians and surgeons in the State of Oklahoma pursuant to 59 Okla. Stat. § 480 *et seq.*

2. Defendant, Stanley Scott Hanan, M.D, holds Oklahoma medical license no. 11542 under an Agreed Final Order Granting Reinstatement of License and Imposing Probation and Monitoring dated July 23, 1998.

3. On or about November 15, 2001, an envelope was mailed to Gerald Zumwalt, M.D. at the offices of the Oklahoma State Board Medical Licensure and Supervision. The envelope was received at the Board offices on November 19, 2001 and opened by the receptionist. The envelope contained only a single pill and a return address was written on the envelope. At the time the envelope was received at the Board offices, state agencies were operating at a higher level of alert due to the recent and ongoing Anthrax threats. Accordingly, when the envelope was received, Lyle Kelsey, Executive Director for the Board, called "911". An Oklahoma City police officer responded to the call and upon examining the envelope and the pill, advised Mr. Kelsey to dispose of the pill and the envelope. Mr. Kelsey first identified the pill in the Physicians' Desk Reference, made a copy of the envelope, then destroyed the envelope and the pill as directed by the police officer.

4. Subsequently, Board staff examined the return address on the envelope and determined that it was the Defendant's return address, and that it appeared to be written by Defendant, as evidenced by a comparison of prior correspondence received by Board staff from Defendant.

5. On or about November 28, 2001, Elizabeth A. Scott, Assistant Attorney General, sent a letter to Defendant advising him of the Board's receipt of the pill in an envelope containing his return address. Ms. Scott then asked Defendant to provide a written explanation as to why he sent the unidentified pill to Dr. Zumwalt.

6. On or about December 5, 2001, Defendant responded to Ms. Scott's letter wherein he denied sending the pill to Dr. Zumwalt and expressed shock that it was being blamed on him.

7. Board staff subsequently obtained the services of Ernest D. Smith, Forensic Document Examiner, to determine whether or not the envelope containing the pill was addressed by Defendant. On or about April 4, 2002, Mr. Smith concluded that the envelope sent to Dr. Zumwalt which contained the pill was written by Defendant, as evidenced by a comparison with the Monthly Supervision Self- Reports previously signed by Defendant.

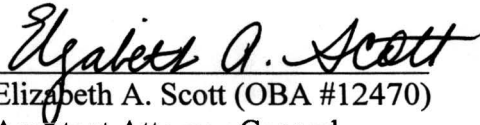
8. Based on the allegations states above, Defendant is guilty of unprofessional conduct as follows:

- A Is physically or mentally unable to practice medicine and surgery with reasonable skill and safety in violation of OAC 435:10-7-4(17).
- B. Engaged in practice or other behavior that demonstrates an incapacity or incompetence to practice medicine and surgery in violation of OAC 435:10-7-4(18).
- C. Engaged in the use of any false, fraudulent or deceptive statement in any document connected with the practice of medicine and surgery in violation of OAC 435:10-7-4(19).

WHEREFORE, plaintiff requests that the Board conduct a hearing, and upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation, the assessment of costs and fees incurred in this action, and any other appropriate action with respect to Defendant's license to practice as a physician and surgeon in the State of Oklahoma.

Dated this 3rd day of May, 2002 at 11:00 a.m.

Respectfully submitted,

A handwritten signature in cursive script, reading "Elizabeth A. Scott". The signature is written in black ink and is positioned above the printed name.

Elizabeth A. Scott (OBA #12470)

Assistant Attorney General

5104 N. Francis, Suite C

Oklahoma City, OK 73118

Attorney for State ex rel.

Oklahoma State Board of Medical Licensure
and Supervision