

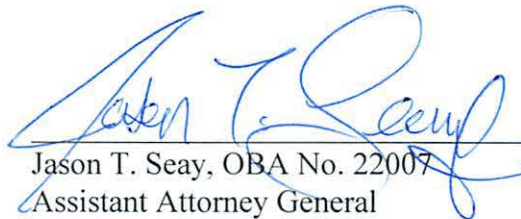
checking out Fentanyl for patients with no orders for the drug, which he would administer to himself. A medication audit completed in October of 2013 by Defendant's former employer revealed this abuse.

6. Defendant's former employer confronted Defendant about the audit's findings. In that conversation, Defendant admitted to the above-described conduct.
7. Defendant initially agreed with his former employer to attend a 90-day inpatient treatment program in California, but left after only 30 days. Defendant's voluntary discharge from the treatment program was against the professional judgment of the facility's healthcare providers. Defendant's failure to complete the treatment program resulted in his being discharged from his employment and losing his hospital privileges.
8. Defendant is guilty of unprofessional conduct in that he engaged in the following unprofessional conduct:
 - a. Habitual intemperance or the habitual use of habit-forming drugs in violation of Title 59 O.S. 2011 § 509(4);
 - b. Dishonorable or immoral conduct which is likely to deceive, defraud, or harm the public in violation of Title 59 O.S. 2011 § 509(8);
 - c. 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 in violation of Title 59 O.S. 2011 § 509(16);
 - d. Indiscriminate or excessive prescribing, dispensing or administering of Controlled or Narcotic Drugs in violation of Oklahoma Administrative Code 435:10-7-4(1);
 - e. The habitual or excessive use of any drug which impairs the ability to practice medicine with reasonable skill and safety to the patient in violation of Oklahoma Administrative Code 435:10-7-4(3);
 - f. 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 in violation of Oklahoma Administrative Code 435:10-7-4(5);

- g. Dispensing, prescribing or administering a controlled substance or narcotic drug without medical need in violation of Oklahoma Administrative Code 435:10-7-4(6);
- h. Conduct likely to deceive, defraud, or harm the public in violation of Oklahoma Administrative Code 435:10-7-4(11); and
- i. Prescribing, selling, administering, distributing, ordering, or giving any drug legally classified as a controlled substance or recognized as an addictive dangerous drug to a family member or to himself or herself. Provided that this paragraph shall not apply to family members outside the second degree of consanguinity or affinity. Provided further that this paragraph shall not apply to medical emergencies when no other medical doctor is available to response to the emergency in violation of Oklahoma Administrative Code 435:10-7-4(26).

Given the foregoing, the undersigned requests that a hearing be conducted and upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation and any other appropriate action with respect to Defendant's medical license, and an assessment of costs and attorney's fees incurred in this action as provided by law.

Respectfully submitted,



Jason T. Seay, OBA No. 22007
Assistant Attorney General
General Counsel Section
313 N.E. 21st Street
Oklahoma City, Oklahoma 73105

Mailing Address:
101 N.E. 51st Street
Oklahoma City, OK 73105
Phone: (405) 962-1400
Fax: (405) 962-1499

*Attorney for State of Oklahoma ex rel.
The Oklahoma State Board of Medical
Licensure and Supervision*