

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,)
)
Plaintiff,)
)
v.)
)
L. SAM MUSALLAM, M.D.,)
LICENSE NO. 11815,)
)
Defendant.)

OCT 01 2008

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 08-08-3553

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, L. Sam Musallam 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, L. Sam Musallam, M.D., holds Oklahoma license no. 11815.
3. On or about February 4, 2008, Defendant was pulled over by the Oklahoma City Police for straddling the lane lines. Defendant was subsequently arrested and charged with Driving While Under the Influence of Alcohol, Straddling Lane Lines, and Possession of Marijuana. At the time of his arrest, Defendant refused to submit to a drug test and was placed in jail.
4. Beginning on or around July 14, 2008 and continuing until on or around July 17, 20068 Defendant obtained an assessment at Talbott Recovery Campus. Talbott recommended that Defendant obtain residential treatment for chemical dependence.
5. Defendant subsequently obtained treatment at The Meadows for marijuana dependence, alcohol abuse and posttraumatic stress disorder from August 5, 2008 until September 5, 2008. Defendant admitted to The Meadows that he had been smoking marijuana for the past thirty (30) years and had been smoking it on a daily basis for the past twenty (20)

years. He also admitted that he last smoked marijuana on April 29, 2008. Defendant additionally admitted that he drinks three (3) to four (4) drinks in an evening at least two (2) times per week. Defendant further admitted that on the night he was arrested, he had consumed four (4) drinks.

6. Defendant is guilty of unprofessional conduct in that he:
 - A. Is habitually intemperate or habitually uses habit-forming drugs in violation 59 O.S. §509(4) and OAC 435:10-7-4(3).
 - B. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public in violation of 59 O.S. §509(8) and OAC 435:10-7-4(11).
 - C. Violated any provision of the medical practice act or the rules and regulations of the Board or of an action, stipulation, or agreement of the Board in violation of 59 O.S. §509(13) and OAC 435:10-7-4(39).
 - D. Is unable to practice medicine with reasonable skill and safety to patients by reason of age, illness, drunkenness, excessive use of drugs, narcotics, chemicals or any other type of material or as a result of any mental or physician condition in violation of 59 O.S. §509(15) and OAC 435:10-7-4(40).
 - E. Confessed to a crime involving violation of the antinarcotics laws and regulation of the federal government or the laws of this state in violation of 59 O.S. §509(7).
 - F. Is physically or mentally unable to practice medicine and surgery with reasonable skill and safety in violation of OAC 435:10-7-4(17).
 - G. Purchased or prescribed 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 OAC 435:10-7-4(5).
 - H. Dispensed, prescribed or administered a Controlled substance or Narcotic drug without medical need in violation of 59 O.S. §509(16) and OAC 435:10-7-4 (2) and (6).
 - I. Prescribed, sold, administered, distributed, ordered or gave any drug legally classified as a controlled substance or recognized

as an addictive or dangerous drug for other than medically accepted therapeutic purposes in violation of OAC 435:10-7-4(24).

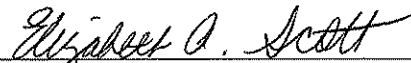
J. Prescribed, sold, administered, distributed, ordered, or gave any drug legally classified as a controlled substance or recognized as an addictive or dangerous drug to a family member or to himself in violation of OAC 435:10-7-4(26).

K. Violating any state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).

Conclusion

WHEREFORE, the Plaintiff respectfully 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 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,



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