

IN AND BEFORE THE OKLAHOMA 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.

HANG JU CHON, M.D.
Medical License No. 11969,

CASE NO. 88-9-683

Defendant.

ORDER OF CONTINUANCE

The Defendant's Motion for Continuance came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on June 21, 1991, at the office of the Oklahoma State Board of Medical Licensure and Supervision, 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 Hang Ju Chon, M.D, Defendant, appeared by announcement by way of letter from attorney Dana H. Hankins, of Roney & Hankins law firm, 201 East Pine Street, Suite 1322, Orlando, Florida 32801.

No testimony was offered on the merits of the case. The Board heard the Motion for Continuance argued on behalf of the Defendant, and being fully advised in the premises, the Oklahoma Board of Medical Licensure and Supervision finds as follows:

FINDINGS OF FACT

1. That Defendant, Hang Ju Chon, M.D., holds Oklahoma Medical License No. 11969.
2. That the Oklahoma 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 following notice and hearing on June 9, 1989, the Oklahoma Board of Medical Licensure and Supervision issued an Order suspending the Defendant from the practice of medicine and surgery in the State of Oklahoma for a period of five years, beginning June 9, 1989.
4. That subsequently, the Defendant petitioned for reconsideration. That Defendant's legal counsel in Florida by letter of June 1, 1991, requested that hearing of June 22, 1991, be postponed because there was not sufficient time for Dr. Chon to retain counsel in Oklahoma, it was necessary to gather information from the Florida Board of Medicine for presentation at the Oklahoma hearing, and because Dr. Chon would be unable to appear in person at the June 22, 1991, hearing.
5. Because the Defendant remains under suspension, continuance may be granted without any detriment to public health, safety and welfare.

CONCLUSIONS OF LAW

1. That Hang Ju Chon, M.D., holding Oklahoma Medical License No. 11969, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, Sec. 509, Paragraphs 8, 10, 11, 12, 13, and 17, to-wit:

- "8. Conviction or confession of a crime involving the violation of the anti-narcotic or prohibition laws and regulations of the Federal government or the Board of Health laws and regulations of the State of Oklahoma."
- "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."
- "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."
- "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."

2. That Hang Ju Chon, 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, Hang Ju Chon, M.D., Oklahoma Medical License No. 11969, should be and is hereby **SUSPENDED** from the practice of medicine and surgery in the State of Oklahoma for a period of five (5) years, beginning June 9, 1989.

2. That a copy of this Final Order should be placed in the Defendant's public licensure file at the Oklahoma Board of Medical Licensure and Supervision and a copy forwarded to Defendant by the Board staff as soon as possible.

DATED this 30 day of June, 1989.

G. C. Zumwalt
 GERALD C. ZUMWALT, M.D., Secretary
 State Board of Medical Licensure
 and Supervision

APPROVED AS TO FORM:

Daniel J. Gamino
 DANIEL J. GAMINO OBA #3227
 Daniel J. Gamino & Associates, P.C.
 3315 NW 63
 Oklahoma City, OK 73116
 (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 30 day of June, 1989, to:

HANG JU CHON, M.D.
 1140 Academy Drive
 Altamonte Spring, FL 32714

Janet L. Owens

PS Form 3811, Mar. 1988 • U.S.G.P.O. 1988-212-886 DOMESTIC RETURN RECEIPT

<p>3. Article Addressed to: Hang Ju Chon, M.D. 1140 Academy Drive Altamonte Spring, FL 32714</p>		<p>4. Article Number: 882 585</p>	
<p>5. Signature - Address <u>Hang Ju Chon</u></p>		<p>6. Signature - Agent <u>Janet L. Owens</u></p>	
<p>7. Date of Delivery <u>7/3/89</u></p>		<p>8. Addressee's Address (ONLY if required and fee paid)</p>	

5. Article Number: 882 585

Type of Service:
 Registered
 Certified
 Express Mail
 Insured
 CBS
 Registered Delivery

Always obtain separate of address of agent and DATE DELIVERED.