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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.)	
)	CASE NO. 90-04-1039
PHILLIP JOSEPH KNIGHT, M.D.)	
Medical License No. 12150)	
)	
Defendant.)	

ORDER MODIFYING
TERMS OF PROBATION

This matter comes on before the Board this 23rd of July, 1994, upon Defendant's motion to modify further the terms of his probation.

The Defendant's application for modification of terms of probation previously came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on October 17, 1992, at the office of the Oklahoma 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 on which previous date the motion was granted.

The Oklahoma Board of Medical Licensure and Supervision en banc reviewed exhibits, heard testimony and being fully advised in the premises, the Oklahoma Board finds and orders as follows:

FINDINGS OF FACT

1. That Defendant, Phillip Joseph Knight, M.D., holds Oklahoma Medical License No. 12150.
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 on or around March 16, 1991, following notice and hearing, the Oklahoma Board of Medical Licensure and Supervision issued an Order Ratifying Secretary's Reinstatement of License to

the Defendant. As a part of that order, the Defendant was placed on probation for a period of five years beginning on March 6, 1991, under certain enumerated terms and conditions.

4. That following notice and hearing on November 2, 1991, Defendant was formally reprimanded for nonpayment of costs of investigation, prosecution and probation, and the period of five year probation beginning on March 6, 1991, was extended for an additional six-month period of therefore was set to remain in force and effect until September 6, 1996, under certain enumerated terms and conditions.

5. That the Defendant since that date has functioned in compliance with the terms and conditions of probation.

6. That the Defendant sought to modify his probation to allow him to prescribe, administer or dispense Schedule III, IV, or V drugs to hospital in-patients, hospital emergency room patients, and nursing home patients, and to reduce his level of probation from Level I to Level II, and to apply for State and Federal registration for controlled dangerous substances.

7. That the Board granted Defendant such modification in a Order dated October 22, 1992.

8. On that date Defendant's probation level was reduced from Level I to Level II.

9. That on this date Defendant seeks additional authority from the Board to prescribe schedule III, IV and V drugs on an out-patient basis.

10. That evidence indicated said request could be granted without any danger to public health, safety and welfare.

CONCLUSION OF LAW

1. That Defendant remains under the jurisdiction of the Oklahoma Board of Medical Licensure and Supervision and it is within the judgment and discretion of the Board to modify terms and conditions of probation as reflected by evidence received in the records.

ORDER

It is therefore ordered that the Defendant's terms of probation are modified and effective as follows:

- (a) During the period of probation Defendant will not prescribe, administer or dispense any medications for his personal use, to specifically include controlled dangerous substances.

(b) During the period of probation the Defendant will not prescribe, administer or dispense any controlled dangerous substances or narcotic drugs to any patient for any condition, except as is specifically provided in this paragraph:

(i) Defendant may prescribe, administer or dispense schedule III, IV or V controlled dangerous substances to hospital in-patients, hospital emergency room patients and nursing home patients.

(ii) Defendant may prescribe schedule III, IV and V controlled dangerous substances to out-patients on sequentially numbered, duplicate prescription forms, a copy of each of which shall be submitted monthly to the Board.

Defendant shall not prescribe, administer or dispense schedule II controlled dangerous substances to any patient.

(c) During the period of probation Defendant will take no medication except that which is authorized by a physician treating him for a legitimate medical need, and Defendant shall have an affirmative duty to inform any physician treating him of Defendant's previous substance abuse.

(d) During the period of probation Defendant will abstain from consuming alcohol or any substance, specifically including but not limited to controlled dangerous substances, which would adversely affect his ability to practice medicine or surgery as interpreted by the Oklahoma State Board of Medical Licensure and Supervision.

(e) During the period of probation Defendant will submit biological fluid specimens to include, but not limited to, blood and urine, for analysis, upon request of any investigator or other agent representing the Oklahoma State Board of Medical Licensure and Supervision, and Defendant will pay


for testing and analysis of those specimens.

- (f) During the period of probation Defendant will continue regular participation in the Oklahoma State Medical Association Physician Recovery Committee and AA or NA and shall provide evidence of attendance when requested by the Board or any representative thereof.
- (g) During the period of probation Defendant will furnish to the office of the Oklahoma State Board of Medical Licensure and Supervision all current legal addresses and any change of address in writing.
- (h) Defendant shall appear before the Board or a designated member thereof whenever requested to do so.
- (i) During the period of probation Defendant will submit to the Investigation Division of the Oklahoma State Board of Medical Licensure and Supervision any required reports and forms on a timely and prompt basis.
- (j) Pursuant to Title 59 O.S. Sec. 506, Defendant shall promptly pay within 30 days of receipt of invoice from the Investigation Division of the Board the costs of investigation, prosecution and probation of this case, unless the Defendant affirmatively obtains a deferment of all or part of said fees upon presentation of evidence that is acceptable to the Board Secretary
- (k) During the period of probation Defendant shall notify any hospital where he holds staff privileges, or clinic, or group where he practices, of the terms and conditions of this Order and supply a copy thereof.
- (l) That violation of any of the terms and conditions of probation shall be grounds for additional charges to be presented to the Board after notice to the Defendant.

2. That the jurisdiction of the Board in this individual proceeding will continue until the terms and conditions of probation are modified or lifted by the Oklahoma Board of Medical Licensure and Supervision on their own motion or on the motion of the Defendant.

3. That failure to meet any of the above terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke Defendant's Oklahoma Medical License, after additional due notice and hearing.

DATE this 23rd day of July, 1994.


GERALD C. ZUMWALT, SECRETARY
State Board of Medical Licensure
and Supervision

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this 12 day of August, 1994, to:

Phillip Joseph Knight, M.D.
400 Fairview
Ponca City, Ok 74601