

IN AND BEFORE THE STATE BOARD OF MEDICAL EXAMINERS

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel, )  
STATE BOARD OF MEDICAL )  
EXAMINERS, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
DOUGLAS G. COX, M.D., )  
Medical License No. 12259, )  
 )  
Defendant )

**RECEIVED**

OCT 21 1985

STATE BOARD  
MEDICAL EXAMINERS

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Examiners en banc on September 27, 1985, at 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 the Defendant appeared in person without counsel.

The Board of Medical Examiners en banc heard the testimony, reviewed exhibits and being fully advised in the premises, the Board of Medical Examiners therefore finds as follows:

FINDINGS OF FACT

1. That Douglas G. Cox, M.D., holds Oklahoma Medical License No. 12259.

2. That the Board of Medical Examiners 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 numerous occasions, Defendant did allow non-physicians to prescribe controlled dangerous substances and non-controlled substances to Defendant's patients.

4. That on or around June 5, 1985, Defendant signed and affixed his DEA number to 11 blank prescription forms and gave them to a patient A. M. to be transmitted to a second patient, E.F., with instructions to in turn transmit them to a specific pharmacy.

5. That from January 1, 1985, through July 25, 1985, Defendant wrote approximately 165 prescriptions for Schedule II drugs in a total amount of 5,642 dosage units and through these same dates of January 1, 1985, through July 25, 1985, Defendant wrote a total of approximately 1,075 prescriptions for Schedule III, IV and V drugs in the total number of dosage units of 50,600 dosage units and an additional 160 prescriptions written for Schedule III, IV and V drugs for 850 ounces, 2,080 ml and 1,040 cc liquid.

6. That a prescription survey conducted in reference to certain scheduled drugs reveals that patient G.W. received approximately 26 prescriptions and refills for a total of 4,120 dosage units of scheduled drugs from January 5, 1985, through July 16, 1985, for an average of 19.90 dosage units per day of Seconal, Percocet #5, Propoxyphene, Valium, and Darvocet N 100.

7. That the survey reveals that patient D.F. received 24 prescriptions and refills thereof for a total of 1,672 dosage units of scheduled drugs from February 15, 1985, through July 25, 1985, for an average of 7.88 dosage units per day of Tylox, Halcion, and Tylenol #4.

8. That the survey reveals that patient J.M. received 37 prescriptions and refills for a total of 1,952 dosage units of scheduled drugs from January 31, 1985, through July 8, 1985, for an average of 9.42 dosage units per day of Tylox, Darvocet N 100, T-Gesic, and Librium 10 mg.

9. That the survey reveals that patient H.H. received approximately 17 prescriptions and refills for a total of 1,550 dosage units of scheduled drugs from January 8, 1985, through July 18, 1985, for an average of 7.48 dosage units per day of Lomotil, Wygesic and Ativan.

10. That the survey reveals that patient C.B. received approximately 9 prescriptions and refills for a total of 2,160 dosage units of scheduled drugs from January 2, 1985, through July 2, 1985, for an average of 10.43 dosage units per day of SK Comp 65 and Propoxyphene Comp 65.

11. That patient records reveal that scheduled drugs were being prescribed in excess of the amount considered good medical practice for the medical need presented.

#### CONCLUSIONS OF LAW

1. That Douglas G. Cox, M.D., holding Oklahoma Medical License No. 12259, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, §509, Paragraphs 15 and 17, to-wit:

"15. Aiding or abetting, directly or indirectly, the practice of medicine by any person not duly authorized under the laws of Oklahoma."

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 Douglas G. Cox, M.D., is in violation of the Rules and Regulations promulgated by this Board, specifically Section IX, Rules 1, 2, 6, and 7, 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."

"Rule 7. The delegation of authority to another person for the signing of prescriptions for either controlled or non-controlled drugs."


#### ORDER

IT IS THEREFORE ORDERED by the Board of Medical Examiners of Oklahoma as follows:

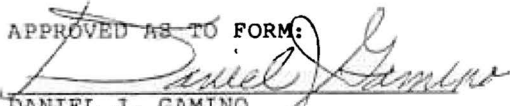
1. That the Defendant, Douglas G. Cox, M.D., License No. 12259, be and is hereby placed on probation to the Oklahoma State Board of Medical Examiners for a period of three years beginning on October 1, 1985, under the following terms and conditions:

- a. During the period of probation Dr. Cox will keep duplicate, serially-numbered prescriptions for all controlled dangerous substances prescribed and shall make such records available to any inspector for the Oklahoma State Board of Medical Examiners.
- b. During the period of probation Dr. Cox will furnish to the office of the State Board of Medical Examiners all current legal addresses and any change of address in writing.
- c. That Dr. Cox shall appear before this Board or designated member thereof whenever requested to do so.

DATED this 21<sup>st</sup> day of October, 1985.

  
MARK R. JOHNSON, M.D., Secretary  
State Board of Medical Examiners

APPROVED AS TO FORM:

  
DANIEL J. GAMINO  
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 on the 22<sup>nd</sup> day of October, 1985, I deposited in the U.S. Mails, postage prepaid, a true and correct copy of the above and foregoing Final Order addressed to:

Douglas G. Cox, M.D.  
1310 S. Main  
Grove, OK 74344

  
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