

IN AND BEFORE THE 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. 87-3-491

RONALD B. SHAW, M.D.,
Medical License No. 12282,

Defendant.

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision en banc on the 12th day of September, 1987, 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 Ronald B. Shaw, M.D., Defendant, appeared in person without counsel and agreed to proceed, waiving his right to representation by legal counsel.

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

FINDINGS OF FACT

1. That Ronald B. Shaw, M.D., holds Oklahoma Medical License No. 12282.

2. That the 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 from 1981 to date, Defendant has maintained a personal chemical dependency problem by abuse of chemicals including alcohol, amphetamines (Dexedrine), barbiturates (Fiorinal #3) and marijuana.

4. That Defendant was institutionalized in a chemical dependency program at Peachford Hospital in Atlanta, Georgia, in January, 1983, for a period of six weeks and remained chemical free from that time until approximately December, 1986. On or around March 22, 1987, Defendant voluntarily entered Sierra Tucson, Tucson, Arizona, for treatment of chemical dependency and was discharged on April 20, 1987, after having completed that hospital's recommended program.

5. That Defendant last ingested chemicals on February 28, 1987, which was before his voluntary admission to Sierra Tucson. That Defendant is now dealing with his problem on a day-to-day basis attending AA meetings five nights a week in Moore, Oklahoma, and Oklahoma City, Oklahoma, and the Impaired Physicians meeting held weekly in Oklahoma City.

CONCLUSIONS OF LAW

1. That Ronald B. Shaw, M.D., holding Oklahoma Medical License No. 12282, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, Sec. 509, Paragraph 5, to-wit:

"5. Habitual intemperance or the habitual use of habit-forming drugs."

2. That Ronald B. Shaw, M.D., is in violation of the Rules and Regulations promulgated by this Board, specifically Section IX, Rule 3, to-wit:

"Rule 3: The habitual excessive use of any drug which impairs the ability to practice medicine with reasonable skill and safety to the patient."

ORDER

IT IS THEREFORE ORDERED by the Oklahoma Board of Medical Licensure and Supervision as follows:

1. That the Defendant, Ronald B. Shaw, M.D., License No. 12282, will be and is hereby placed on probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of five (5) years, beginning on September 11, 1987, under the following terms and conditions:

- (a) During the period of probation Defendant will not prescribe, administer or dispense any medication for his personal use, to specifically include controlled dangerous substances.
- (b) 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 use and dependency on alcohol and drugs.
- (c) 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.
- (d) 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.
- (e) During the period of probation Defendant will continue regular meetings of Alcoholics Anonymous and regular meetings of the Impaired Physicians meetings in Oklahoma City and does hereby authorize investigators to monitor his attendance at same.
- (f) 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.

- (g) That Defendant shall appear before the Board or a designated member thereof wherever requested to do so.
- (h) 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.
- (i) During the period of probation Defendant will keep duplicate, serially-numbered prescriptions for all controlled dangerous substances prescribed and shall make such records available to any inspector of the Oklahoma State Board of Medical Licensure and Supervision.
- (j) Pursuant to Sec. 26, House Bill 1478, 1987 Legislature, Defendant shall promptly pay upon receipt of invoice from the Investigation Division of the Board the costs of investigation, prosecution and probation of this case.

2. Jurisdiction of the Board will continue in this matter until lifted by the Oklahoma State Board of Medical Licensure and Supervision on their own motion or on the motion of the undersigned.

3. Failure to meet any of the above terms of probation, including the presence of foreign substances in his bodily fluids, will constitute cause for the Board to initiate proceedings to suspend or revoke Defendant's medical license, after due notice and hearing.

DATED this 11th day of September, 1987.


MARK R. JOHNSON, M.D., Secretary
State Board of Medical Licensure
and Supervision

APPROVED AS TO FORM:

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 11 day of September, 1987, to:

Ronald B. Shaw, M.D.
507 NE 12
Moore, OK

