

IN AND BEFORE THE OKLAHOMA STATE BOARD  
OF MEDICAL LICENSURE AND SUPERVISION  
STATE OF OKLAHOMA

FILED

MAY 21 2008

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA )  
EX REL. THE OKLAHOMA BOARD )  
OF MEDICAL LICENSURE )  
AND SUPERVISION, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
JOHN TALLEY HASKINS, M.D., )  
LICENSE NO. 12311, )  
 )  
Defendant. )

Case No. 06-11-3201

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, John Talley Haskins, 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, John Talley Haskins, M.D., holds Oklahoma license no. 12311 and practices anesthesiology in Oklahoma City, Oklahoma.
3. In or around 1981, Defendant was treated for substance abuse at Ridgeview in Atlanta, Georgia. Defendant was using Stadol intravenously.
4. From November 27, 2004 until December 30, 2004, Defendant was treated at The Meadows for alcohol and Fentanyl abuse. Defendant continued his treatment at Talbott from January 3, 2005 until January 22, 2005.

THEFT OF MEDICATIONS  
FROM INTEGRIS BAPTIST HOSPITAL

5. Beginning in or around March 2006 and continuing through approximately October 2006, while working at Integris Baptist Medical Center in Oklahoma City, Oklahoma, Defendant began secretly removing vials of Propofol/Diprivan. Defendant placed the vials in his

personal bag and took them to Foundation Surgery Center (“Foundation”), an outpatient surgery center in Oklahoma City. Defendant is the medical director, partner/owner, a practicing physician and a member of the Professional Standards Committee at Foundation.

6. Beginning in or around March 2006, Defendant began bringing vials of anesthetic medications to Margaret Weaver, RN, the pharmacy nurse at Foundation. Defendant advised Ms. Weaver that the vials of medication, which appeared to be unused and unopened, would have been thrown away at Integris Baptist so he brought them to Foundation for use. Ms. Weaver accepted the drugs from Defendant, but did not mingle them with the drugs ordered by her for use at Foundation. Defendant brought the medications to Ms. Weaver at the Foundation pharmacy regularly, beginning in or around March 2006 and continuing through October 2006. Ms. Weaver subsequently disposed of all vials of medications she could find that were brought to Foundation by Defendant so that they would not be used by Foundation personnel.

7. On or about July 30, 2007, Board investigators interviewed Defendant. During this interview, Defendant admitted that on one (1) occasion, he had taken approximately eight (8) vials of Propofol from Integris Baptist, allegedly to prime a new pump at Foundation that he was going to use at Integris Baptist. He stated that he forgot to do this and then forgot to return the vials of medication to Integris Baptist.

8. On or about November 14, 2006, Integris Baptist imposed a fourteen (14) day **SUSPENSION** on Defendant’s clinical privileges due to his failure to return empty, partially used or unused drugs to the hospital pharmacy.

### **PRACTICING WHILE IMPAIRED**

9. On or about October 2, 2006, at approximately 8:00 a.m., Defendant underwent a colonoscopy at Foundation. At Defendant’s request, Propofol was used for his sedation.

10. At approximately 9:15 a.m. on this date, Defendant signed for his own discharge and was taken by wheelchair to his office. Foundation’s policy stated that a patient will only be discharged if accompanied by a “responsible adult”.

11. At approximately 10:15 a.m. on this same date, while still under the influence of Propofol, Defendant delivered MAC anesthesia to a patient for the excision of a facial skin lesion. The procedure lasted until approximately 11:30 a.m.

12. At approximately 1:30 p.m. on this same date, while still under the influence of Propofol, Defendant delivered general anesthesia to a patient for a nasal surgical procedure. The procedure lasted until approximately 3:30 p.m.

**REUSE OF SYRINGES AND INFUSION TUBING**  
**IN DELIVERY OF ANESTHESIA**

13. In or around October 2006, nursing staff at Foundation began noticing that Defendant was bringing his own supply of Propofol/Diprivan to administer to patients during procedures at Foundation, rather than using the medications ordered and provided by the pharmacy at Foundation.

14. Beginning in or around January 2007, nursing staff at Foundation began noticing that Defendant was reusing the infusion tubing and syringes on numerous patients on the same date.

15. In August 2007, on several occasions, nursing staff corroborated their observations and suspicions that Defendant was reusing infusion tubing and syringes on multiple patients on the same date.

16. Nursing staff complained to their supervisor about Defendant's conduct. As a result of this complaint, Foundation adopted a policy that syringes and tubing would not be reused among patients.

17. Defendant subsequently admitted to Board investigators that he had reused syringes from patient to patient, but denied reusing infusion tubing, despite the eyewitness accounts of the nursing staff.

18. Defendant is guilty of unprofessional conduct in that he:

- a. 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).
- b. Committed an act which is a violation of the criminal laws of the State of Oklahoma when such act is connected with the physician's practice of medicine in violation of 59 O.S. §509(9).
- 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,

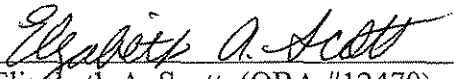
excessive use of drugs, narcotics, chemicals or any other type of material or as a result of any mental or physician condition in violation of 59 O.S. §509(15) and OAC 435:10-7-4(40).

- e. Engaged in gross or repeated negligence in the practice of medicine and surgery in violation of OAC 435:10-7-4(15).
- f. Engaged in practice or other behavior that demonstrates an incapacity or incompetence to practice medicine and surgery in violation of OAC 435:10-7-4(18).

*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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