

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

JOHN H. MIGLIACCIO, M.D.
Medical License No. 12673

CASE NO. 93-10-1562

Defendant.

AMENDED COMPLAINT

COMES NOW Steve Washbourne, Investigator for the Oklahoma State Board of Medical Licensure and Supervision, being first duly sworn upon oath and states:

1. That John H. Migliaccio, M.D., holding Oklahoma Medical License No. 12673, is in violation of the Oklahoma Medical Practice Act, 59 O.S. Supp. 1993, Sec. 509, Paragraphs 15 and 16, to-wit:

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

"16. Inability to practice medicine with reasonable skill and safety to patients..."

2. That on or around March 30, 1993, patient S.L. patient of the Defendant, went to Defendant's office for check-up during her pregnancy. Defendant was not present. In the absence of the Defendant, the patient S.L. received a pelvic exam by Defendant's spouse, a person not licensed as a physician and surgeon. That patient S.L. received a report on her condition that was not true.

3. That in May, 1993, approximately ten days post-op from a tubal reversal and appendectomy, patient T.G. went to Defendant's office for removal of surgical staples. Defendant was not present. In the Defendant's absence, surgical staples were removed by the Defendant's spouse, a person not licensed as a physician and surgeon. Prior to the original surgical

procedure, patient T.G. received an injection of Depo-Provera that was contrary to her wishes and without informed patient consent

4 That Defendant's records on these two patients reflect acts and omissions that raise issues as to Defendant's inability to practice medicine with reasonable skill and safety.

5. That Defendant is perpetuating significant harm to public health, safety and welfare by continuing the acts and omissions set forth in the above allegations

WHEREFORE, Complainant prays this Board to conduct a hearing and upon proof of the allegations contained herein that such disciplinary action be taken by the Board as is authorized by law.

Steve Washbourne 245Am
STEVE WASHBOURNE, Investigator
Oklahoma State Board of
Medical Licensure and Supervision

Subscribed and sworn to before me this 12 day of
August, 1994.

Garret Owens
Notary Public

My Commission expires:
12-20-96