

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

FILED

APR 26 2006

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA
EX REL. THE OKLAHOMA BOARD
OF MEDICAL LICENSURE
AND SUPERVISION,

Plaintiff

v.

ROBERT EDGAR FARROW, M.D.,
LICENSE NO. 13179,

Defendant.

Case No. 06-02-3070

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, Robert Edgar Farrow, M.D., Oklahoma license no. 13179, 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, Robert Edgar Farrow, M.D., holds Oklahoma license no. 13179.

3. A review of Defendant's records reveals that Defendant began treating Patient KFE on or around November 15, 1993. On or about March 1, 1994, during her second appointment with Defendant, Patient KFE revealed to Defendant that she was in the process of getting a divorce. Defendant's records reflect that by the time of Patient KFE's third appointment on August 14, 1994, she was engaged to Defendant. Defendant subsequently began prescribing numerous controlled dangerous drugs to Patient KFE, including six (6) prescriptions for Adipex, a Schedule IV controlled dangerous drug, and one (1) prescription for Midrin, a Schedule IV controlled dangerous drug. Defendant married Patient KFE on or before December 21, 1995.

4. A review of Defendant's records reveals that after he married Patient KFE, he continued to prescribe controlled dangerous drugs to her. These prescriptions include seven (7)

prescriptions for Vicodin, Fioricet, Buprenex, and Tussionex, Schedule III controlled dangerous drugs, two (2) prescriptions for Valium and Pondimin, Schedule IV controlled dangerous drugs, and sixteen (16) prescriptions for Adipex, a Schedule IV controlled dangerous drug. Defendant's chart reflects that he did not establish a legitimate medical need for the medical treatment, that he did not establish a valid physician patient relationship prior to prescribing the medications, and that he did not maintain an office record which accurately reflected the evaluation, treatment and medical necessity of treatment of the patient.

5. Patient KFE's chart reflects that the initial "medical necessity" for the Adipex was that Patient KFE wanted to lose five (5) pounds before a trip with Defendant. Patient KFE subsequently lost too much weight and became ill. However, after numerous illnesses over several years, Defendant again prescribed Adipex to his wife as recently as October 6, 2005, with two (2) refills.

6. On or about February 21, 2006, Patient KFE was arrested and charged in Muskogee County with Possession of Marijuana. During a search of Patient KFE's car, the police found numerous controlled dangerous drugs, including Sonata, Lorcet, Diazepam, Hydrocodone and Marijuana, as well as other dangerous drugs, including Lotrel and Flexeril. Subsequent to the arrest, Defendant admitted to the Muskogee County District Attorney that he had supplied his wife with samples of controlled dangerous drugs, including Sonata, Lorcet, Hydrocodone and Diazepam. Defendant's chart on Patient KFE contains no reference to the prescribing of Sonata or Lorcet to Patient KFE.

7. 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. Prescribed, dispensed or administered 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 in violation of 59 O.S. § 509 (16) and OAC 435:10-7-4 (2) and (6).
 - C. Failed to maintain an office record for each patient which accurately reflects the evaluation, treatment, and medical necessity of treatment of the patient in violation of 59 O.S. § 509 (18).
 - D. Prescribed, sold, administered, distributed, ordered, or gave any drug legally classified as a controlled substance or recognized as an addictive dangerous drug to a family

member or to himself or herself in violation of OAC 435:10-7-4(26).

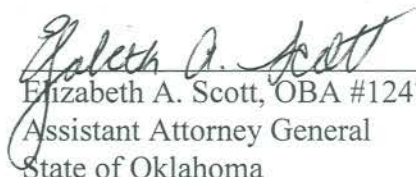
- E. Violated any provision of the medical practice act or the rules and regulations of the Board or of an action, stipulation, or agreement of the Board in violation of 59 O.S. §509 (13) and OAC 435:10-7-4(39).
- F. Violated any state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).

Conclusion

WHEREFORE, plaintiff 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 the revocation or suspension of the Defendant's license to practice as a physician and surgeon in the State of Oklahoma, the assessment of costs and fees incurred in this action, and any other appropriate action with respect to Defendant's license to practice as a physician and surgeon in the State of Oklahoma.

Dated this 24th day of April, 2006 at 3:30 p.m.

Respectfully submitted,


Elizabeth A. Scott, OBA #12470
Assistant Attorney General
State of Oklahoma
5104 N. Francis, Suite C
Oklahoma City, OK 73118

Attorney for the State of Oklahoma ex rel.
Oklahoma State Board of Medical
Licensure and Supervision