

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,

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RODRIGO I. RAMIREZ, M.D.,
Medical License No. 13383,

CASE NO. 87-3-489

Defendant.

COMPLAINT

COMES NOW D.C. Mosshart, Investigator for the Oklahoma State Board of Medical Licensure and Supervision, being first duly sworn upon oath and states:

1. That Rodrigo I. Ramirez, M.D., holding Oklahoma Medical License No. 13383, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, Sec. 509, Paragraphs 13 and 17, to-wit:

"13. Prescribe or administer a drug or treatment without sufficient examination and the establishment of a valid physician/patient relationship."

"17. 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 Rodrigo I. Ramirez, M.D., is in violation of the Rules and Regulations promulgated by the this Board, specifically Section IX, Rules 1, 2 and 6, 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."

3. That the Defendant is also guilty of unprofessional conduct from September 1, 1986, through January 15, 1987, by purporting to operate some form of Methadone maintenance program

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11. That the survey reveals that patient G.F. received approximately 8 prescriptions for a total of 156 dosage units of schedule drugs from December 24, 1986, through January 2, 1987, for an average of 15.60 dosage units per day.

12. That the survey reveals that patient J.G. received approximately 20 prescriptions for a total of 578 dosage units of schedule drugs from November 1, 1986, through January 2, 1987, for an average of 9.03 dosage units per day.

13. That the survey reveals that patient R.G. received approximately 13 prescriptions for a total of 372 dosage units of schedule drugs from December 1, 1986, through January 3, 1987, for an average of 10.94 dosage units per day.

14. That the survey reveals that patient D.K. received approximately 10 prescriptions for a total of 233 dosage units of schedule drugs from December 8, 1986, through January 3, 1987, for an average of 8.63 dosage units per day.

15. That the survey reveals that patient J.K. received approximately 12 prescriptions for a total of 335 dosage units of schedule drugs from November 25, 1986, through January 3, 1987, for an average of 8.17 dosage units per day.

16. That the survey reveals that patient M.P. received approximately 12 prescriptions for a total of 336 dosage units of schedule drugs from November 22, 1986, through January 2, 1987, for an average of 7.81 dosage units per day

17. That Defendant was during the time September 1, 1986 through January 15, 1987, treating the above-named persons whom he knew were addicts and the Defendant did not perform physical examinations or lab work on these patients but merely dispensed controlled dangerous substances to the patients without the establishment of a valid physician/patient relationship.

18. That during the time September 1, 1986, through January 15, 1987, the Defendant failed to register as required by Oklahoma law with the Oklahoma Bureau of Narcotics and Dangerous Drugs in that although the Defendant was aware of requirements of registration, Defendant felt the registration process was too complicated and time-consuming to pursue.

19. That on or around December 20, 1986, the Defendant did issue prescription no. 405286 for 32 Dolophine HCI 10mg. and prescription no. 405287 for 21 Xanax lmg. to Buddy Sanders, 3324 South Yale Ave., Tulsa, Oklahoma 74135, and that Mr. Sanders died the following day, December 21, 1986, and the Office of the Chief Medical Examiner of Tulsa, Oklahoma, performed an autopsy and found as probable cause of death "combined toxic effects of Methadone and Alprazolam."

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

D.C. Mosshart

D.C. MOSSHART, Investigator
State Board of Medical Licensure
and Supervision

Subscribed and sworn to before me this 28th day of October, 1987.

John L. Talbert
Notary Public

My commission expires:
May 30, 1989