

for an addicting or potentially harmful drug to patients." A certified copy of the Board action is attached to the Complaint herein.

7. That following notice and hearing, the Arkansas State Medical Board imposed the sanction of a 30-day suspension and an eleven months probation of the Defendant's license with no Drug Enforcement Authority (DEA) privileges.

CONCLUSIONS OF LAW

1. That motions for continuance of hearing are addressed to the sound discretion of the Oklahoma Board of Medical Licensure and Supervision and pursuant to the Oklahoma Medical Practice Act, 59 O.S. 1981, Sec. 481 et seq., the Board may lawfully deny Defendant's request for continuance in the instant case.

2. That Olie Dame Brown, M.D., holding Oklahoma Medical License No. 13573, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, Sec. 509, Paragraph 17, to-wit:

"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."

3. That Olie Dame Brown, M.D., is in violation of the Rules and Regulations promulgated by 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."

ORDER

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

1. That the request of the Defendant, Olie Dame Brown, M.D., holding Oklahoma Medical License No. 13573, should be and the same is hereby DENIED.

2. That the Defendant, Olie Dame Brown, M.D., holding Oklahoma Medical License No. 13573, should be and is hereby placed on probation to the Oklahoma State Board of Medical Licensure and Supervision to run concurrently with the period of probation imposed by the Arkansas State Medical Board.

3. That the probation of Defendant, Olie Dame Brown, M.D., will run from October 20, 1989, until February 23, 1990, under the following terms and conditions:

(a) Defendant shall not prescribe, administer or dispense any Schedule drugs or controlled dangerous substances.

(b) 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.

(c) Defendant shall appear before the Board or a designated member thereof whenever requested to do so.

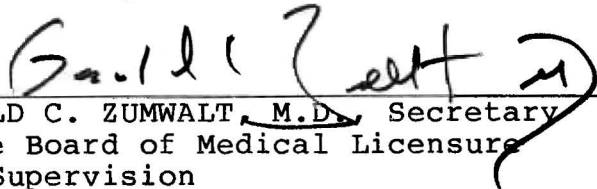
(d) During the period of probation Defendant will submit to the Investigation Division of the Oklahoma State Board of Medical Licensure and Supervision any required reports and forms on a timely and prompt basis.

(e) Pursuant to Section 26, H.B. 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.

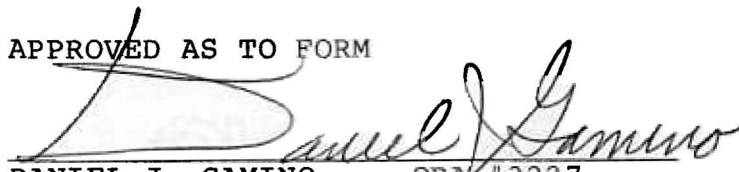
(f) That violation of any of the terms and conditions of probation shall be grounds for additional charges to be presented to the Board after notice to the Defendant.

4. That jurisdiction of the Board in this individual proceeding will continue until the terms and conditions of probation are modified or lifted by the Oklahoma Board of Medical Licensure and Supervision on their own motion or on the motion of the Defendant.

DATED this 26 day of October, 1989.


GERALD C. ZUMWALT, 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 27 day of October, 1989, to:

DARRELL F. BROWN
Darrell F. Brown and Associates, P.A.
319 West Second, Suite 500
Little Rock, AR 72201