

examination with a score of 75 based, in part, on the following Finding of Fact, to-wit:

"3. In 1988 the Board received information that Doctor Florez prescribed and/or dispensed Xanax, controlled substance to his wife, T.R.F. The Board also received allegations of inappropriate treatment by Doctor Florez of two psychiatric patients, R.O. and H.L. The Board retained an independent consultant who rendered a report expressing concerns with Doctor Florez psychiatric treatment of R.O. and H.L., focusing on inadequate documentation and inappropriate psycho-pharmacological practices."

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

CONCLUSIONS OF LAW

1. That the letter of July 11, 1995, from Defendant Florez when considered as a motion for continuance failed to set forth grounds sufficient to support any continuance of the evidentiary hearing and same should be denied.

2. That Juan Bautista Florez, M.D., holding Oklahoma Medical License No. 14204, is in violation of the Oklahoma Medical Practice Act, 59 O.S. Supp. 1994, Sec. 509, Paragraphs 11 and 17, to-wit:

"11. Failure to keep complete and accurate records of purchase and disposal of controlled drugs or of narcotic drugs."

"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 Juan Bautista Florez, M.D., is also in violation of the Rules and Regulations promulgated by this Board, specifically Rule 435:10-7-4, which provides in pertinent part as follows, to-wit:

"The Board has the authority to revoke or take other disciplinary action against a licensee or certificate holder for unprofessional conduct. Pursuant to 59 O.S. 1991, Sec. 509, "Unprofessional Conduct" shall be considered to include:

"(27) Violating any state or federal law or regulation relating to controlled substances."

"(31) Disciplinary action of another state or jurisdiction against the licensee or other authorization to practice medicine and surgery based upon acts of conduct by the licensee similar to acts or conduct that would constitute grounds for action as defined in this Section, a certified copy of the record of the action taken by the other state or jurisdiction being conclusive evidence thereof."

"(34) Any adverse judgment, award, or settlement or award arising from a medical liability claim relating to acts or conduct similar to the acts or conduct that would constitute grounds for action as defined in this Section."


ORDER

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

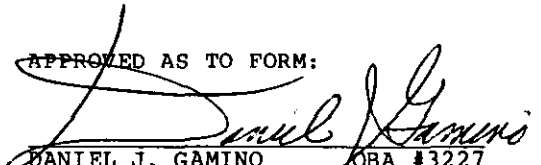
1. That Juan Bautista Florez, M.D., holding Oklahoma Medical License No. 14204, letter of July 11, 1995, when considered as a motion for continuance failed to provide grounds to support continuance of the evidentiary hearing and same should be and is hereby denied.

2. That the Oklahoma Medical License of Juan Bautista Florez, M.D., Medical License No. 14204, should be and is hereby REVOKED.

DATED this 31st day of July, 1995.


GEORGE M. BROWN, JR., 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 2 day of ~~July~~, 1995, to:

August
JUAN BAUTISTA FLOREZ
333 East McDlock Dr
Phoenix AZ 85012

