

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.

MANUEL J. RAMIREZ, M.D.
Medical License No. 14479

)
CASE NO. 87-8-531

Defendant.

AMENDED
COMPLAINT

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

1. That Manuel J. Ramirez, M.D., holding Oklahoma Medical License No. 14479, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, Sections 508 and 509, Paragraphs 9 and 17, to-wit

"Whenever any license or certificate has been procured or obtained by fraud or misrepresentation or was issued by mistake...it shall be the duty of the State Board of Medical Licensure and Supervision to revoke such license or certificate in the same manner as is provided by this Act for the revocation of license or certificate for unprofessional conduct." 59 O.S. Supp. 1987, Section 508.

"Dishonorable or immoral conduct which is likely to deceive or defraud the public."

"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 Manuel J. Ramirez, 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."

3 That from October 1, 1987, through January 31, 1988, Defendant wrote approximately 1,652 prescriptions for controlled dangerous substances of the following schedules and numbers, to-wit

Schedule II:

Number written: 268 for 5,682 dosage units

Schedule III:

Number written: 295 for 8,006 dosage units
Other forms: Liquid-119 for 19,890 oz. or milliliters
Syrup-1 for 180 oz. or milliliters
Suspension-25 for 2,674 oz. or milliliters

Schedule IV:

Number written: 798 for 21,089 dosage units
Other forms: Liquid-20 for 2,700 oz. or milliliters

Schedule V:

Number written: 17 for 358 dosage units
Other forms: Liquid-91 for 13,087 oz. or milliliters
Syrup-4 for 540 oz. or milliliters
Elixir-1 for 120 oz. or milliliters
Suspension-13 for 1,564 oz. or milliliters

4. That a prescription survey conducted in reference to certain scheduled drugs reveals that patient M.S. received from the Defendant approximately 19 prescriptions for 600 dosage units of scheduled drugs from October 3, 1987, through January 25, 1988, for an average of 5.17 dosage units per day.

5. That a prescription survey conducted in reference to certain scheduled drugs reveals that patient S.M. received from the Defendant approximately 26 prescriptions for 840 dosage units of controlled dangerous substances from October 5, 1987, through January 30, 1988, for an average of 5.55 dosage units per day, plus one prescription for 180 ounces or milliliters of liquid CDS.

6. That a prescription survey conducted in reference to certain scheduled drugs reveals that patient N.N. received from the Defendant approximately 28 prescriptions for 670 dosage units of controlled dangerous substances from October 6, 1987, through January 29, 1988, for an average of 5.73 dosage units per day.

7. That a prescription survey conducted in reference to certain scheduled drugs reveals that patient M.♁. received from

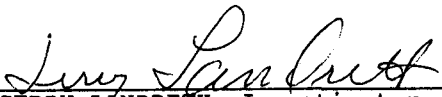
the Defendant approximately 31 prescriptions for 884 dosage units of controlled dangerous substances from October 19, 1987, through January 30, 1988, for an average of 8.42 dosage units per day

8 That a prescription survey conducted in reference to certain scheduled drugs reveals that patient A.H. received from the Defendant approximately 24 prescriptions for 1,254 dosage units of controlled dangerous substances from October 2, 1987, through January 30, 1988, for an average of 10.28 dosage units per day.

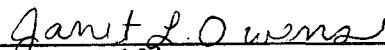
9. That on or around February 18, 1983, Defendant was suspended from staff privileges at Delnor Community Hospital, St. Charles, Illinois, and that Defendant resigned from said hospital on or around March 8, 1983, in lieu of formal action undertaken by the hospital. That the Defendant did not disclose these transactions to the Oklahoma Board of Medical Licensure and Supervision on his application for licensure in Oklahoma as a physician and surgeon.

10. That on or around February 16, 1988, the Board of Control of the Memorial Hospital, Guymon, Oklahoma, voted to deny the Defendant's clinical privileges for 1988 based on "numerous incidents of disruptive behavior on your part, and the surgical audits prepared at the (hospital) Board's request."

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.


JERRY LANDRETH, Investigator
State Board of Medical Licensure
and Supervision

Subscribed and sworn to before me this 11 day of May, 1988.


Notary Public

My Commission expires:
12-17-92