

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

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex re.
OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE AND
SUPERVISION,

Plaintiff

v

CHARLES WAYNE DICKERSON, M.D. CASE NO. 91-05-1176
Medical License No. 14590,

Defendant.

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on June 26, 1992, at the office of the Oklahoma State Board of Medical Licensure and Supervision, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Daniel J. Gamino, Attorney, appeared for the Plaintiff; and Charles Wayne Dickerson, M.D., Defendant, appeared in person and by counsel, Ray G. Moss, Attorney, Two Leadership Square, Suite 1200, 211 N. Robinson, Oklahoma City, OK 73102.

The Board of Medical Licensure and Supervision en banc heard testimony, reviewed exhibits and being fully advised in the premises, the Oklahoma Board of Medical Licensure and Supervision finds as follows:

FINDINGS OF FACT

1. That Defendant, Charles Wayne Dickerson, M.D., holds Oklahoma Medical License No. 14590.
2. That the Oklahoma Board of Medical Licensure and Supervision en banc has jurisdiction over the subject matter herein and that notice has been given in all respects as required by law and the rules of the Board.
3. That a prescription survey of pharmacies in the area of Ratliff City, Oklahoma, covering a period of time of approximately 180 days, November 1, 1990, through April 30, 1991, indicates that Defendant wrote a grand total of 1,107 prescriptions totaling 52,623 dosage units of controlled dangerous substances, plus 185 additional prescriptions for other forms totaling 27,035 units of liquid CDS.
4. That a prescription survey conducted in reference to certain scheduled drugs reveals that patient T.M. received approximately six prescriptions from Defendant for 200 dosage units of controlled dangerous substances from January 16, 1991, through January 29, 1991, for an average of 14.29 dosage units per day.
5. That patient K.P. received from the Defendant approximately 15 prescriptions for 1,500 dosage units of controlled dangerous substances from November 12, 1990, through April 15, 1991, for an average of 9.62 dosage units per day.
6. That patient P.S. received from the Defendant approximately 22 prescriptions for 1,010 dosage units of

controlled dangerous substances from December 17, 1990, through April 25, 1991, for an average of 7.77 dosage units per day.

7. That patient D.R. received from the Defendant approximately 12 prescriptions for 900 dosage units of controlled dangerous substances from December 4, 1990, through April 29, 1991, for an average of 6.12 dosage units per day.

8. That the above patients were being prescribed in excess of the amount considered for medical need presented.

9. That Defendant 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 Charles Wayne Dickerson, M.D., holding Oklahoma Medical License No. 14590, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1991, 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."

2. That Charles Wayne Dickerson, M.D., is in violation of the Rules and Regulations promulgated by this Board, specifically Sec. X, Rules 1A, B, and F, to-wit:

"Rule A: Indiscriminate or excessive prescribing, dispensing or administering of controlled or narcotic drugs."

"Rule B: Prescribing, dispensing or administering of controlled or narcotic drugs in excess of the amount considered good medical practice."

"Rule F: 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 Defendant, Charles Wayne Dickerson, M.D., holding Oklahoma Medical License No. 14590, should be and is hereby placed on a term of probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of five (5) years beginning on June 27, 1992, under the following terms and conditions:

(a) During the period of probation Defendant will not prescribe, administer or dispense any Schedule II or Schedule III drugs or controlled dangerous substances.

(b) During the period of probation Defendant may prescribe, administer or dispense Schedule IV or Schedule V controlled dangerous substances only on serially-numbered, duplicate prescription pads and shall make the copies available to Investigators of the Oklahoma State Board of Medical Licensure Supervision at their request, to include all


dispensing records on CDS and to include sample medication.

- (c) During the period of probation Defendant shall immediately notify any hospital where he holds staff privileges, or clinic, or group where he practices, of the terms and conditions of this Board Order and supply a copy thereof.
- (d) Pursuant to Title 59 O.S. Sec. 506, Defendant shall promptly pay within 30 days of receipt of invoice from the Board the costs of investigation, prosecution and probation of this case, unless the Defendant affirmatively obtains a deferment of all or part of said fees upon presentation of evidence that is acceptable to the Board Secretary.
- (e) 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.
- (f) That Defendant shall appear before the Board or a designated member thereof whenever requested to do so.
- (g) 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.
- (h) During the period of probation Defendant shall keep substantial and adequate medical records in order to support all diagnosis, treatment, and prescription, administration and dispensing of controlled dangerous substances and narcotic drugs.
- (i) During the period of probation the Defendant shall not supervise a Physician Assistant.
- (j) 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.

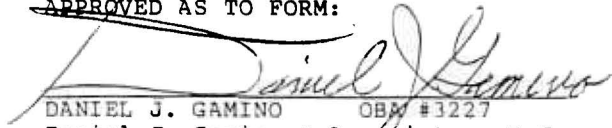
2. That the jurisdiction of the Board in this individual proceeding will continue until the terms and conditions of this probation are modified or lifted by the Oklahoma Board of Medical Licensure and Supervision on their own motion or on the motion of the Defendant.

3. That failure to meet any of the above terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke Defendant's Oklahoma Medical License, after additional due notice and hearing.

DATED this 9 day of July, 1992.


GERALD C. ZUMWALT, M.D., Secretary
State Board of Medical Licensure
and Supervision

~~APPROVED AS TO FORM:~~



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(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 13 day of July, 1992, to:

CHARLES WAYNE DICKERSON, M.D.
c/o Ray G. Moss
Attorney at Law
Two Leadership Square, Suite 1200
211 N. Robinson
Oklahoma City, OK 73102

