

IN AND BEFORE THE STATE BOARD OF MEDICAL EXAMINERS

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel,)
STATE BOARD OF MEDICAL)
EXAMINERS,)
)
Plaintiff,)
v.)
)
MICHAEL-BRITTON BEASON, M.D.,)
Medical License No. 14702,)
)
Defendant.)

*Attach
Exhibit
54-10-379*

FINAL ORDER ON COMPLAINT OF CONTEMPT

This cause comes on for hearing before the Oklahoma Board of Medical Examiners en banc (on January 15, 1987), at 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 the Defendant appeared in person, pro se, and waived his right to representation by counsel and announced he was ready to proceed.

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

FINDINGS OF FACT

1. That Michael Britton Beason, M.D., holds Oklahoma Medical License No. 14702.

2. That the Board of Medical Examiners en banc has jurisdiction over the subject matter herein and that notice has been given in all respects as required by the law and the rules of the Board.

3. That from August 6, 1986, to October 2, 1986, the Defendant did telephone six (6) prescriptions for Vicodin and one (1) prescription for Darvocet N-100 to the Wal-Mart Pharmacy, 601 North Commerce, Ardmore, Oklahoma, and the Defendant picked up the medication himself and personally took all the medication himself. All prescriptions were in the name of the Defendant's spouse, Debbie Beason. Both Vicodin and Darvocet N-100 are narcotic drugs and controlled dangerous substances under the laws of Oklahoma. The drugs were not prescribed to Dr. Beason by any physician treating him for a legitimate medical need.

4. That from August 5, 1986, to October 20, 1986, the Defendant did telephone two (2) prescriptions and one (1) refill for Vicodin to the Kerr-Reavis Pharmacy, 620 West Main, Ardmore, Oklahoma, and Defendant picked up the medication himself and personally took some of the medication and destroyed the remainder. All prescriptions were in the name of the Defendant's mother, Rita Beason. Vicodin is a narcotic drug and controlled dangerous substance under the laws of Oklahoma. None of these prescriptions were authorized by a physician treating the Defendant for any legitimate medical need.

CONCLUSIONS OF LAW

1. That Michael Britton Beason, M.D., holding Oklahoma Medical License No. 14702, did appear before the Oklahoma Board of Medical Examiners en banc on January 19, 1985, and following notice and hearing was placed on probation with the Oklahoma State Board of Medical Examiners for a period of three (3) years.

beginning on January 19, 1985, and the terms and conditions of probation included the following:

(a) That during the period of probation it is required that Dr. Beason comply with the Oklahoma Medical Practice Act as interpreted by the Oklahoma State Board of Medical Examiners...

(c) During the period of probation Dr. Beason will take no scheduled drug or alcohol except that which is authorized by a physician treating him for a legitimate medical need...

2. That the Oklahoma Medical Practice Act, 59 O.S. 1981, Section 509, Paragraph 12, provides as an example of unprofessional conduct as follows:

(12) The writing of false or fictitious prescriptions for any drugs or narcotics declared by the laws of Oklahoma to be controlled or narcotic drugs.

ORDER

IT IS THEREFORE ORDERED by the Board of Medical Examiners of Oklahoma as follows:

1. That the Defendant, Michael Britton Beason, M.D., holding Oklahoma Medical License No. 14702, shall be continued on the three (3) year probation which began on January 19, 1985, and the terms and conditions of probation will be expanded to include the following:

(a) That during the period of probation it is required that Dr. Beason comply with the Oklahoma Medical Practice Act as interpreted by the Oklahoma State Board of Medical Examiners and that he appear before the Board or its designated representative upon request.

(b) That during the period of probation Dr. Beason will submit biological fluid specimens to include, but not limited to, blood and urine, for analysis at the expense of Dr. Beason upon the request of any inspector or other agent representing the Oklahoma State Board of Medical Examiners.

(c) During the period of probation Dr. Beason will take no scheduled drug or alcohol except that which is authorized by a physician treating him for a legitimate medical need and the Defendant has the specific responsibility of advising any treating physician of his complete medical history, including his use of the drugs Darvon, Vicodin, and Darvocet N-100.

(d) Dr. Beason will provide to any inspector or other agent representing the Oklahoma State Board of Medical Examiners the name and office address of each physician treating him for legitimate medical need and Dr. Beason will sign a release for medical records whenever requested by any agent or inspector representing the Oklahoma State Board of Medical Examiners.

(e) Dr. Beason will continue in private therapy and group therapy under the direction and treatment of drug and alcohol counselor Steve West.


(f) That Dr. Beason will comply with all of the plan of recovery set forth by Mr. West, which is attached hereto and marked as Exhibit A.

(g) Dr. Beason shall submit periodic progress reports from Mr. West as required by the Oklahoma Board of Medical Examiners or any agent or inspector thereof.

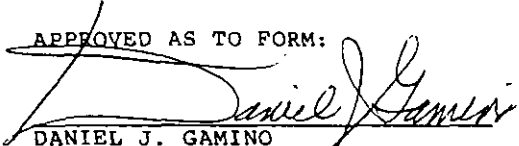
(h) That Dr. Beason will use and keep serially numbered duplicate prescriptions of all prescriptions written for controlled dangerous substances Schedules II, III, IV, and V, and further that Dr. Beason will continue with routine fluid screens as conducted by members of the clinic where he is employed and the clinic will make those fluid analysis available to representatives of the Oklahoma Board of Medical Examiners.

2. That the Defendant's failure to meet any of the above requirements, or the presence of foreign substances in his bodily fluids, will constitute cause for the Board to initiate proceedings to suspend or revoke his medical license, after due notice and hearing.

DATED this 30 day of January, 1987.


MARK R. JOHNSON, M.D., Secretary
State Board of Medical Examiners

APPROVED AS TO FORM:


DANIEL J. GAMINO
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 on the 17 day of March, 1987, I deposited in the U.S. Mails, postage prepaid, a true and correct copy of the above and foregoing instrument addressed to:

Michael Britton Beason, M.D.
921 NW 14
Ardmore, OK

