

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.

RICHARD ALAN ADAMS, M.D.  
Medical License No. 14738,

Defendant

CASE NO. 89-06-924

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on October 20, 1989, at the office of the Oklahoma State Medical Association, 601 N.W. Expressway, 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 Richard Alan Adams, M.D., appeared pro se by virtue of a Voluntary Submittal to Jurisdiction that he had executed on October 12, 1989.

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

FINDINGS OF FACT

1. That Defendant, Richard Alan Adams, M.D., holds Oklahoma Medical License No. 14738.

2. That the 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 on or around December 6, 1988, the Defendant did voluntarily enter into a formal Stipulation and Order with the Board of Medical Examiners of the State of Arizona based on the Defendant's misuse of alcohol. The Stipulation and Order mandates that the Defendant immediately participate in the Arizona Medical Association Physicians Health Committee Program and make his records available to the Board; the Defendant shall abstain completely from the consumption of alcoholic beverages and take no medications except those prescribed by his treating physician; Defendant shall submit to witnessed random biological fluid testing and any mental, physical or medical competency examinations or combination thereof as directed by the Board and Defendant shall participate in aftercare group such as Alcoholics Anonymous or Caduceus Club. A certified copy of the entire Stipulation and Order is attached to the Complaint herein.

CONCLUSIONS OF LAW

1. That Richard Alan Adams, M.D., holding Oklahoma Medical License No. 14738, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, Sec. 509, Paragraph 16, to-wit:

"16. The inability to practice medicine with reasonable skill and safety to patients by reason of age, illness, drunkenness, excessive use of drugs, narcotics, chemicals, or any other type of material or as the result of any mental or physical condition."

2. That Richard Alan Adams, M.D., is in violation of the Rules and Regulations promulgated by this Board, specifically Section IX, Rule 3, to-wit:

"Rule 3: The habitual or excessive use of any drug which impairs the ability to practice medicine with reasonable skill and safety to the patient."

ORDER

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

1. That the Defendant, Richard Alan Adams, M.D., holding Oklahoma Medical License No. 14738, should be and is hereby placed on probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of five (5) years beginning on October 20, 1989, under the following terms and conditions:

(a) During the period of probation Defendant will not prescribe, administer or dispense any medications for his personal use, to specifically include controlled dangerous substances.

(b) During the period of probation Defendant will take no medication except that which is authorized by a physician treating him for a legitimate medical need and Defendant shall have an affirmative duty to advise any physician treating him of Defendant's previous use of alcohol and controlled dangerous substances.

(c) During the period of probation Defendant will abstain from consuming alcohol or any substance, licit or illicit, specifically including but not limited to controlled dangerous substances, which would adversely affect his ability to practice medicine or surgery as interpreted by the Oklahoma State Board of Medical Licensure and Supervision.

(d) During the period of probation Defendant will submit biological fluid specimens to include, but not limited to, blood and urine, for analysis, upon request of any investigator or other agent representing the Oklahoma State Board of Medical Licensure and Supervision, and Defendant will pay for testing and analysis of those specimens.

(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) 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.

(i) 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.

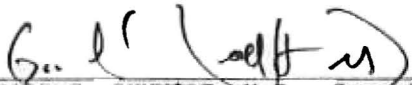
(j) During the period of probation Defendant will continue active participation in support programs operated through the Physician Recovery Committee of the Oklahoma State Medical Association.

(k) During the period of probation Defendant shall notify any hospital where he holds staff privileges, or clinic, or group where he practices, of the terms and conditions of this Voluntary Submittal to Jurisdiction and supply a copy thereof.

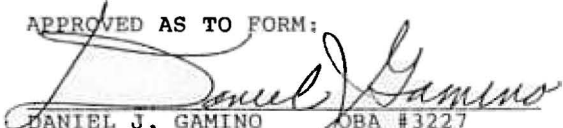
2. That the jurisdiction of the Board in this individual proceeding will continue until the terms and conditions of probation are modified or lifted by the Oklahoma Board of Medical Licensure and Supervision on their own motion or on the motion of the Defendant.

3. The Defendant further agrees 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 24 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:

RICHARD ALAN ADAMS, M.D.

533 E. Grandview

Mesa AZ 85203-3656

Janet L Owens