

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.)
)
MARK R. LYNN, M.D.)
Medical License No. 14916,)
)
Defendant.)

FILED

MAY 10 1993

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

CASE NO. 93-01-1479

ORDER REVOKING MEDICAL LICENSE

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on May 14, 1993, at the office of the Oklahoma 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 Mark R. Lynn, M.D., Defendant, appeared pro se, waived his right to legal counsel, and agreed to proceed without counsel.

The Oklahoma Board of Medical Licensure and Supervision heard argument and statements, reviewed exhibits and being fully advised in the premises, the Oklahoma Board finds and orders as follows:

FINDINGS OF FACT

1. That Defendant, Mark R. Lynn, M.D., holds Oklahoma Medical License No. 14916.

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 since approximately January, 1993, Defendant maintained a regular pattern and practice of leaving pre-signed, blank prescription forms for the use of Dr. Dwight Starr at Southwest Medical Center Emergency Room.

4. That the pre-signed, blank prescription forms were subsequently used by Dr. Starr and/or other persons on patients that the Defendant had not examined and with whom the Defendant had not established a physician/patient relationship, to-wit:

<u>Patient</u>	<u>Prescription Date</u>	<u>Medication</u>
J.S.	12/16/92	Lortab 7.5
B.O.	1/6/93	Lortab 7.5
L.J.	1/21/93	Lortab 7.5
B.S.	1/26/93	Lortab 7.5
C.W.	1/15/93	Lortab 7.5
A.F.	1/11/93	Lortab 7.5
W.S.	7(1)/12/93	Lortab 7.5
T.G.	None	Lortab 7.5
J.L.	12/31/92	Lortab 7.5
V.A.	1/27/93	Hydrocodone

5. That in 1992 Defendant admitted himself to the COPAC Treatment Center, Jackson, Mississippi, for alcohol and drug addiction, primarily Fentanyl and Sufenta. That Defendant received treatment also at St. Anthony's Hospital, Oklahoma City, Oklahoma. That since his hospitalization Defendant has discontinued his previous practice of anesthesiology and is working in emergency medicine and attending Alcoholics Anonymous meetings and weekly meetings of the Physicians Recovery Committee, Oklahoma State Medical Association.

6. Based on the above facts and omissions, Defendant is perpetuating significant harm to public health, safety and welfare.

CONCLUSIONS OF LAW

1. That Mark R. Lynn, M.D., holding Oklahoma Medical License No. 14916, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1991, Sec. 509, Paragraphs 10, 12, 13, and 16, to-wit:

"10. The commission of any act which is a violation of the criminal laws of Oklahoma when such act is connected with the physician's practice of medicine. A complaint, indictment or confession of a criminal violation shall not be necessary for the enforcement of this provision. Proof of the commission of the act while in the practice of medicine or under the guise of the practice of medicine shall be unprofessional conduct."

"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."

"13. Prescribe or administer a drug or treatment without sufficient examination and the establishment of a valid physician/patient relationship."

"16. 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 a result of any mental or physical condition."

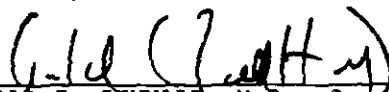
ORDER

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

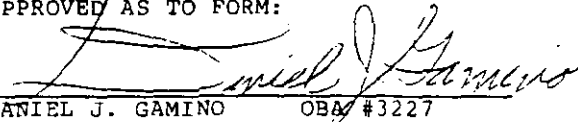
1. That the Medical license of Defendant, Mark R. Lynn, M.D., holding Oklahoma Medical License No. 14916, should be and is hereby REVOKED.

2. That a copy of this written Order should be sent to the Defendant and/or his legal counsel as soon as possible so their record is complete.

DATED this 2^o day of May, 1993.


GERALD C. ZOMWALT, 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 31 day of May, 1993, to:

MARK R. LYNN, M.D.
1000 SW 44 #200
OKC 73109-3608

gamit@omms