

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.

JAMES E. VEINTIMILLA, M.D.
Medical License No. 15576,

CASE NO. 89-11-983

Defendant.

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on June 8, 1990, 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 James E. Veintimilla, M.D., Defendant, did not appear either in person or by representative.

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

FINDINGS OF FACT

1. That Defendant, James E. Veintimilla, M.D., holds Oklahoma Medical License No. 15576.
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 on or around May 2, 1990, Complaint and Citation were issued in the case at bar and said pleadings were served on the Defendant in person on the 3rd day of May, 1990.
4. Since the service of process on the Defendant, neither the Defendant, nor anyone on his behalf, contacted either Board counsel or anyone on the Board staff in regard to this matter.
5. That on or around February 17, 1990, Defendant appeared before the United States District Court for the Eastern District of Oklahoma, Muskogee, Oklahoma, and, with advice of counsel, did plead guilty to violation of Federal anti-narcotics laws to include (1) willfully conspiring to unlawfully possess with intent to distribute without legitimate medical purpose certain controlled dangerous substances including Preludin, Mepergan Fortis, and Dilaudid, in violation of 21 U.S.C., Sec. 841(a)(1), and 21 U.S.C., Sec. 846; (2) willfully and unlawfully distribute Preludin, a Schedule II Controlled Dangerous Substance, to Oklahoma Bureau of Narcotics and Dangerous Drugs Officer D.C. by delivering a prescription to her and said distribution was not in the usual course of professional practice and was not for a legitimate medical purpose, in violation of 21 U.S.C., Sec. 841(a)(1); and (3) knowingly and unlawfully distribute Dilaudid, a Schedule II Controlled Dangerous Substance, to Oklahoma Bureau

of Narcotics and Dangerous Drugs Officer D.C. by writing and delivering a prescription to her and said distribution was not in the usual course of professional practice and was not for a legitimate medical purpose, in violation of 21 U.S.C., Sec. 841(a)(1), and 18 U.S.C., Sec. 2.

6. On or around April 26, 1990, Defendant appeared before Judge Seay, United States District Court for the Eastern District of Oklahoma, Muskogee, Oklahoma, and was sentenced to 16 months Federal prison on each of the above charges to run concurrently, to be followed with a 5-year supervised probation.

CONCLUSIONS OF LAW

1. That James E. Veintimilla, M.D., holding Oklahoma Medical License No. 15576, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, Sec. 509, Paragraph 8, to-wit:

"8 Conviction or confession of a crime involving the violation of the anti-narcotic or prohibition laws and regulations of the Federal government or the Board of Health laws and regulations of the State of Oklahoma."

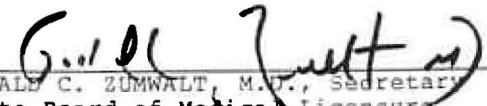
ORDER

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

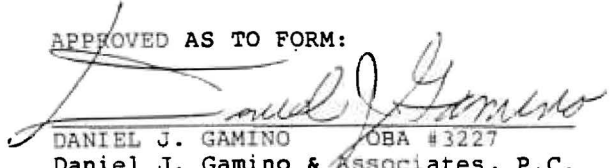
1. That the license of Defendant, James E. Veintimilla, M.D., holding Oklahoma Medical License No. 15576, should be and the same is hereby REVOKED.

2. That a copy of this Order be provided by mail to the Defendant at his last known address.

DATED this 21st day of June, 1990.


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 22 day of June, 1990, to:

JAMES E. VEINTIMILLA
403 S. Broadway
Coalgate, OK

