

- L. Defendant will attend four (4) meetings per week of a local 12-step program, including one (1) meeting per week of the Physicians' Recovery Program.
- N. Defendant shall promptly notify the Board of any citation or arrest for traffic or for criminal offenses involving substance abuse.
- Q. Defendant will keep current payment of all assessment by the Board for prosecution, investigation and monitoring of his case, including but not limited to a \$100.00 per month monitoring fee.

5. On or about January 18, 2005, Defendant was arrested by the Oklahoma City Police Department and charged with Trafficking CDS (cocaine), Possession of CDS with Intent to Distribute, and Possession of Drug Paraphernalia. At the time of his arrest, police had been called to a house on a possible burglary complaint and found a car running but unoccupied blocking both lanes of traffic in front of the subject house. The police looked in the car and saw what appeared to be cocaine and cocaine paraphernalia. Defendant came out of the house and admitted that the car was his, at which time he was arrested. Police searched his pockets and found a glass crack pipe, as well as two (2) baggies containing crack cocaine with a total approximate weight of sixteen (16) grams.

6. According to the Physicians' Recovery Program, Defendant has failed to attend the required one (1) meeting per week.

7. Defendant has not notified the Board of the January 18, 2005 arrest.

8. Defendant had not paid the Board any of the costs and fees he owes, which as of January 19, 2005 equal \$2,649.50.

9. Defendant is guilty of unprofessional conduct in that he:

A. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public in violation of 59 O.S. §509(8) and OAC 435:10-7-4(11).

B. Violated any provision of the medical practice act or the rules and regulations of the Board or of an action, stipulation, or agreement of the Board in violation of 59 O.S. §509(13) and OAC 435:10-7-4(39).

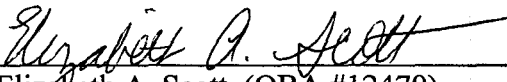
C. Engaged in practice or other behavior that demonstrates an incapacity or incompetence to practice medicine and surgery in violation of OAC 435:10-7-4(18).

D. Violated any state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).

Conclusion

WHEREFORE, the Plaintiff respectfully requests that the Board conduct a hearing, and, upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation and any other appropriate action with respect to Defendant's medical license, and an assessment of costs and attorney's fees incurred in this action as provided by law.

Respectfully submitted,


Elizabeth A. Scott (OBA #12470)
Assistant Attorney General
State of Oklahoma
5104 N. Francis, Suite C
Oklahoma City, OK 73118

Attorney for the Plaintiff