

IN AND BEFORE THE OKLAHOMA STATE BOARD
OF MEDICAL LICENSURE AND SUPERVISION
STATE OF OKLAHOMA

FILED

MAY 27 2004

IN THE MATTER OF THE
APPLICATION OF

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OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

CARL P. GRIFFIN, M.D.

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Case No. 01-05-2349

FOR MODIFICATION OF
RESTRICTION ON OKLAHOMA
MEDICAL LICENSE NO. 16969

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**ORDER MODIFYING RESTRICTION UNDER
TERMS OF PROBATION**

This matter came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on May 20, 2004, at the Board office, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and rules of the Board.

Applicant, Carl P. Griffin, M.D., holding Oklahoma medical license no. 16969, appeared in person and with counsel, R. Brown Wallace.

The Board sitting *en banc* after hearing testimony, reviewing the request and other materials presented, and being fully apprised of the premises, made the following Findings of Fact, Conclusions of Law and Orders:

FINDINGS OF FACT

1. The Board *en banc* has jurisdiction over the subject matter herein, and notice has been given in all respects as required by law and the rules of the Board.

2. Dr. Griffin currently holds medical license no. 16969 under a Voluntary Submittal to Jurisdiction that commenced June 6, 2002. Under this order, Dr. Griffin's license was **RESTRICTED** in that he was not allowed to prescribe any controlled dangerous substances without the prior express approval of the Board. The Board additionally ordered that if the restriction on Defendant's license was ever modified, that it would be under terms of probation to be determined at the time of the modification.

3. On May 20, 2004, Dr. Griffin requested that his restriction be modified to allow him to prescribe Schedules III, IV and V controlled dangerous drugs, to both inpatients and

outpatients, on duplicate, serially numbered prescriptions to be furnished to the Board Secretary for review. Defendant agreed that he would not practice pain management and would allow the Board Secretary to periodically examine his charts.

4. Dr. Griffin presented sufficient evidence to support modifying his restriction to place him on probation for a period of two (2) years, under which he would be allowed to prescribe Schedules III, IV and V controlled dangerous substances, to both inpatients and outpatients, on duplicate, serially numbered prescriptions to be furnished to the Board Secretary for review. Defendant is not allowed to practice pain management, is not allowed to prescribe, order, administer or dispense Schedule II controlled dangerous drugs, and shall allow the Board Secretary to periodically examine his charts.

CONCLUSIONS OF LAW

The Board has jurisdiction to hear this matter pursuant to 59 O. S. § 480 *et seq.*

2. Dr. Griffin has presented satisfactory evidence to support modifying his restriction to place him on probation for a period of two (2) years, under which he would be allowed to prescribe Schedules III, IV and V controlled dangerous substances, to both inpatients and outpatients, on duplicate, serially numbered prescriptions to be furnished to the Board Secretary for review. Defendant is not allowed to practice pain management, is not allowed to prescribe, order, administer or dispense Schedule II controlled dangerous drugs, and shall allow the Board Secretary to periodically examine his charts.

ORDER

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

Dr. Griffin's application to modify the terms of his restriction is **GRANTED**.

2. Dr. Griffin shall be placed on **PROBATION** for a term of **TWO (2) YEARS** under the following terms and conditions:

A. Defendant will conduct his practice in compliance with the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act as interpreted by the Oklahoma State Board of Medical Licensure and Supervision. Any question of interpretation regarding said Act shall be submitted in writing to the Board and no action based on the subject of the question will be taken by Defendant until clarification of interpretation is received by Defendant from the Oklahoma State Board of Medical Licensure

and Supervision.

B. Upon request of the Board Secretary, Defendant will request all hospitals in which he anticipates practicing to furnish to the Board Secretary of the Oklahoma State Board of Medical Licensure and Supervision a written statement regarding monitoring of his practice while performing services in or to that hospital.

C. Defendant will furnish to each and every state in which he holds licensure or applies for licensure and hospitals, clinics or other institutions in which he holds or anticipates holding any form of staff privilege or employment, a copy of the Board Order stipulating sanctions imposed by the Oklahoma State Board of Medical Licensure and Supervision.

D. Defendant will not supervise allied health professionals that require surveillance of a licensed physician.

E. Defendant will keep duplicate, serially numbered prescriptions of all Schedule III, IV and V controlled dangerous substances readily retrievable, in numerical order and will furnish copies to investigators or other authorized agents of the Board immediately upon request.

F. Defendant will not prescribe, administer, dispense or possess any Schedule II controlled dangerous drugs.

G. Defendant will not practice pain management.

H. A retrospective random chart review of Defendant's patients will be conducted periodically by the Compliance Consultant or other designated representative of the Board. Defendant shall allow the Compliance Consultant or other designated representative of the Board access to all patient charts at any time and shall allow for the immediate copying of said charts for review by the Board Secretary.

I. Defendant will keep the Oklahoma State Board of Medical Licensure and Supervision informed of his current address.

J. Defendant will keep current payment of all assessments by the Oklahoma State Board of Medical Licensure and Supervision for prosecution, investigation and monitoring of his case, which shall include but is not limited to a one hundred dollar (\$100.00)

per month fee during the term of probation, unless Defendant affirmatively obtains a deferment of all or part of said fees upon presentation of evidence that is acceptable to the Board Secretary.

K. Until such time as all indebtedness to the Oklahoma State Board of Medical Licensure and Supervision has been satisfied, Defendant will reaffirm said indebtedness in any and all bankruptcy proceedings.

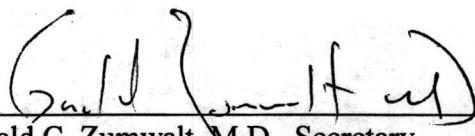
L. Defendant shall make himself available for one or more personal appearances before the Board or its designee upon request.

M. Defendant shall submit any required reports and forms on a timely and prompt basis to the Compliance Coordinator or designee.

N. Failure to meet any of the terms of this Board Order will constitute cause for the Board to initiate additional proceedings to suspend, revoke or modify Defendant's license after due notice and hearing.

3. Promptly upon receipt of an invoice for such charges, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and investigation costs.


Dated this 27 day of May, 2004.



Gerald C. Zumwalt, M.D., Secretary
Oklahoma State Board of
Medical Licensure and Supervision

Certificate of Service

On the 28 day of May, 2004, a true and correct copy of this order was mailed, postage prepaid, to Carl P. Griffin, M.D., 4334 N.W. Expressway, Suite 201, Oklahoma City, OK 73116 and to R. Brown Wallace, 2837 N.W. 58th Street, Oklahoma City, OK 73112.



Janet Swindle