

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

FILED

STATE OF OKLAHOMA)
EX REL. THE OKLAHOMA BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)

Plaintiff,)

v.)

BRYAN A. VAN DOREN, M.D.,)
LICENSE NO. 17313,)

Defendant.)

MAR 09 2006

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 98-12-2048

COMPLAINT

COMES NOW the Plaintiff, the State of Oklahoma ex rel. the Oklahoma State Board of Medical Licensure and Supervision (the "Board"), by and through its attorney, Elizabeth A. Scott, Assistant Attorney General, and for its Complaint against the Defendant, Bryan A. Van Doren, M.D., alleges and states as follows:

1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physicians and surgeons in the State of Oklahoma pursuant to 59 Okla. Stat. §480 *et seq.*
2. Defendant, Bryan A. Van Doren, M.D., holds Oklahoma license no. 17313.
3. In 1988, Defendant was treated at Talbott Recovery Center in Atlanta, Georgia for alcohol dependence.
4. On May 9, 1990, Defendant entered into a Voluntary Submittal to Jurisdiction whereby he was granted a special license to practice in the state of Oklahoma and placed on probation for a period of five (5) years beginning July 3, 1989 due to prior substance abuse.
5. On May 24, 1990, Defendant was granted a full medical license under the five (5) year probation previously set forth in the May 9, 1990 Voluntary Submittal to Jurisdiction.
6. On July 3, 1994, Defendant's probation was terminated.
7. On or around August 1998 through November 1998, Defendant periodically called

in prescriptions for Hydrocodone using fictitious patient names and his medical partners' names and DEA numbers. Defendant picked up or attempted to pick up these medications for his own personal use. At that time, he was taking up to thirty (30) tablets per day.

8. On November 23, 1998, Defendant was contacted by a representative of the Oklahoma Bureau of Narcotics regarding his illegal actions pursuant to 63 O.S. §2-407 (A-1), Attempting to Obtain a Controlled Dangerous Substance by Fraud. At that time, Defendant was admitted to Anchor Hospital for detoxification and was then readmitted to Talbott on November 30, 1998.

9. On or about March 9, 2000, Defendant entered into a Voluntary Submittal to Jurisdiction whereby he was suspended for a period of sixty (60) days, followed by indefinite probation 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.

G. Defendant will not prescribe, administer or dispense any medications for personal use or for that of any family member.

H. Defendant will take no medication except that which is authorized by a physician treating him for a legitimate medical need. Defendant has the affirmative duty to inform any and every doctor treating him of the Board Order immediately upon initiation, or continuation of treatment.

I. Defendant will have the affirmative duty not to ingest any substance which will cause a body fluid sample to test positive for prohibited substances.

M. Defendant shall promptly notify the Board of any relapse, including any entry, or re-entry, into a treatment program for substance abuse.

10. The provisions cited above have not been modified or deleted but remain in full force and effect as terms and conditions of Defendant's licensure under terms of probation.

11. On or about February 13, 2006, Defendant provided a urine specimen at request of Tom Sosbee, Compliance and Education Coordinator for the Board. The specimen subsequently tested positive for Fentanyl. Defendant later admitted that he had been using Duragesic patches without physician authorization beginning in early February and continuing through March 7, 2006.

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

A. Habitually uses habit-forming drugs in violation 59 O.S. §509(4) and OAC 435:10-7-4(3).

B. 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).

C. 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).

D. Is unable 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 in violation of 59 O.S. §509(15) and OAC 435:10-7-4(40).

E. Prescribed, dispensed or administered a controlled substance or narcotic drug...without medical need in accordance with published standards in violation 59 O.S. §509(16) and OAC 435:10-7-4(2) and (6).

F. Prescribed, sold, administered, distributed, ordered or gave any drug legally classified as a controlled substance or recognized as an addictive dangerous drug to a family member or to himself or herself in violation of OAC 435:10-7-4(26).

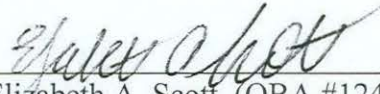
G. Violated any state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).

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,



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