

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.)

NOV 03 2006

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 98-12-2048

VOLUNTARY SURRENDER OF LICENSE
IN LIEU OF PROSECUTION

State of Oklahoma)

WLSA County)

I, Bryan A. Van Doren, M.D., being of lawful age and after first being duly sworn, depose and state as follows:

1. I hereby voluntarily surrender my Oklahoma medical license no. 17313.
2. The surrender of my license is freely and voluntarily made. I have not been subject to any coercion or duress, and I am fully aware of the consequences of the surrender of my license.
3. I am the subject of an investigation and Complaint before the Oklahoma State Board of Medical Licensure and Supervision involving allegations that if proven, would constitute grounds for disciplinary action by the Board.
4. The allegations to which I have plead guilty are as follows:
 - i. Defendant, Bryan A. Van Doren, M.D., holds Oklahoma license no. 17313.

- ii. In 1988, Defendant was treated at Talbott Recovery Center in Atlanta, Georgia for alcohol dependence.
- iii. 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.
- iv. 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.
- v. On July 3, 1994, Defendant's probation was terminated.
- vi. 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.
- vii. 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.
- viii. 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.
 - E. Defendant will not prescribe, administer, dispense or possess any drugs in Schedules I through V, with the exception that Defendant may write orders for Schedules

drugs for hospital inpatients only.

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.

ix. On or about July 19, 2001, the Board modified Defendant's probation and ordered that he be allowed to write outpatient prescriptions for Schedules II through V controlled dangerous substances on serially numbered duplicate prescriptions. Defendant subsequently provided his duplicate prescriptions on a monthly basis to Tom Sosbee, Compliance and Education Coordinator for the Board, for review by Mr. Sosbee and the Board Secretary.

x. 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.

xi. On or about February 13, 2006, Defendant provided a urine specimen at the 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 the Duragesic patches without physician authorization beginning in early February and continuing through March 7, 2006.

xii. On or about March 8, 2006, Defendant provided a urine specimen at the request of Tom Sosbee, Compliance and Education Coordinator for the Board. The specimen subsequently tested positive for Fentanyl.

xiii. On or about March 9, 2006, the State filed its Complaint against Defendant based upon substance abuse and violation of his probation in this regard.

xiv. Subsequent to the filing of the Complaint, the State conducted a review of some of Defendant's patient charts. The State's review of ten (10) patient charts revealed that Defendant had written the following prescriptions to these patients on non-serially numbered prescriptions which had not been reported to Mr. Sosbee or the Board Secretary as required by his probation:

<u>PATIENT</u>	<u>DATE</u>	<u>MEDICATION</u>	<u>QUANTITY</u>
Patient LFS	7-11-03	Oxycodone 5 mg.	300
	7-22-03	Duragesic 100 mcg.	20
	8-21-03	Duragesic 100 mcg.	20
	10-23-03	Duragesic 50 mcg.	10
	10-23-03	Lortab 7.5 mg.	50
	3-12-04	Duragesic 50 mcg.	20
	3-12-0	Lortab 7.5 mg.	200
	8-17-04	Oramorph SR 30 mg.	300
	11-4-04	Oramorph SR 30 mg.	100
	12-2-04	Oramorph SR 30 mg.	100
	1-21-05	MSER 30 mg.	100
	2-8-05	Oramorph SR 30 mg.	100
	2-23-05	Oramorph SR 30 mg.	100
	3-16-05	Oramorph SR 30 mg.	100
	5-26-05	Oramorph SR 30 mg.	100
	6-9-05	Oramorph SR 30 mg.	100
	6-22-05	Oramorph SR 30 mg.	100
	7-1-05	Oramorph SR 30 mg.	100
	8-16-05	Oramorph SR 30 mg.	100
	8-30-05	Lortab 10 mg.	300
	9-20-05	Oramorph SR 30 mg.	100
	10-21-05	Oramorph SR 30 mg.	300
	11-4-05	Oramorph SR. 30 mg.	100
	11-21-05	Oramorph SR 30 mg.	100
	12-6-05	Oramorph SR 30 mg.	100
	12-20-05	Oramorph SR 30 mg.	100
	12-28-05	Lortab 10 mg.	100
	12-28-05	Oramorph SR 100 mg.	100
	1-24-06	Oramorph SR 100 mg.	100
	2-15-06	Oramorph SR 100 mg.	100
Patient KCS	7-23-03	Duragesic 25 mcg.	30
	12-23-03	Dilaudid 4 mg.	100
	12-23-03	Duragesic 25 mcg.	20

	1-23-04	Duragesic 25 mcg.	20
	1-23-04	Dilaudid 4 mg.	100
	3-9-04	Dilaudid 4 mg.	300
	3-9-04	Duragesic 25 mcg.	10
	3-9-04	Bontril 35 mg.	30
	6-24-04	Dilaudid 4 mg.	300
	11-30-04	Oxycontin 40 mg.	120
	12-13-04	Oxycontin 10 mg.	120
	2-8-05	Oxycontin 40 mg.	90
	3-11-05	Oxycontin 40 mg.	90
	5-10-05	Oxycontin 40 mg.	90
	6-3-05	Oxycontin 40 mg.	90
	7-29-05	Oxycontin 10 mg.	300
	7-29-05	Oxycontin 40 mg.	90
	8-25-05	Oxycontin 10 mg.	300
	8-26-05	Oxycontin 40 mg.	90
	10-25-05	Oxycontin 40 mg.	90
	11-23-05	Oxycontin 40 mg.	90
	12-23-05	Oxycontin 40 mg.	90
	1-27-06	Oxycontin 40 mg.	200
	1-27-06	Ambien 10 mg.	90
	1-27-06	Oxycodone 15 mg.	300
Patient DHS	2-25-05	Oxycontin 10 mg.	200
	2-25-05	Oxycodone 5 mg.	300
	7-30-05	Oxycontin 10 mg.	300
	3-30-05	Oxycodone 5 mg.	300
	4-19-05	Oxycontin 10 mg.	300
	4-19-05	Oxycodone 5 mg.	300
	4-28-05	Duragesic 50 mcg.	20
	4-28-05	Dilaudid 5 mg.	200
	5-27-05	Dilaudid 4 mg.	100
	5-27-05	Duragesic 50 mcg.	15
	7-29-05	Duragesic 50 mcg.	20
	9-30-05	Dilaudid 4 mg.	100
	9-30-05	Duragesic 50 mcg.	30
	11-28-05	Dilaudid 4 mg.	100
	11-28-05	Duragesic 50 mcg.	20
	1-17-06	Duragesic 50 mcg.	10
	3-3-06	Dilaudid 4 mg.	200
	3-3-06	Ativan	100
	3-3-06	Duragesic 50 mcg.	10
	3-6-06	MSER 60 mg.	180

Patient MTS	3-29-04	Dilaudid 4 mg.	200
	8-25-04	Avinza 90 mg.	10
	9-17-04	Avinza 90 mg.	10
	9-17-04	Avinza 90 mg.	10
	9-17-04	Avinza 90 mg.	10
	4-8-05	Oxycontin 10 mg.	200
	6-17-05	Oxycontin 10 mg.	200
	1-25-06	Temazepam 30 mg.	30
	1-25-06	Oxycontin 10 mg.	100
Patient PSS	9-22-03	Hydromorphone 4 mg.	200
	4-18-05	Oxycodone 5 mg.	200
	4-8-05	Xanax	100
	4-8-05	Oxycontin 10 mg.	200
	6-3-05	Avinza 90 mg.	10
	Patient TJS	8-20-04	Dilaudid 4 mg.
1-7-05		Dilaudid 4 mg.	300
3-11-05		Dilaudid 4 mg.	300
5-11-05		Dilaudid 4 mg.	300
7-12-05		Dilaudid 4 mg.	300
9-1-05		Dilaudid 4 mg.	300
10-18-05		Dilaudid 5 mg.	300
11-30-05		Dilaudid 4 mg.	300
1-24-06		Dilaudid 4 mg.	300
2-24-06		Ritalin 10 mg.	180
Patient KAS	10-23-03	Duragesic 25 mcg.	20
Patient PWS	8-15-03	Lortab 7.5 mg.	100
	9-15-04	Ritalin 10 mg.	100
	10-15-04	Ritalin 10 mg.	200
	10-22-04	Ritalin 10 mg.	200
	12-3-04	Ritalin 10 mg.	100
	1-21-05	Methylin 20 mg.	200
	5-12-05	Methylin 20 mg.	200
	11-15-05	Methylin 20 mg.	200
	11-15-05	Ambien 10 mg.	30
	1-17-06	Ambien 6.25	7

Patient BGS	1-23-04	Dilaudid 8 mg.	200
	9-17-04	Marinol 2.5 mg.	60
	2-18-05	MSIR 30 mg.	300
	2-18-05	Dilaudid 8 mg.	100
	4-12-05	Dilaudid 8 mg.	100
	4-12-05	MSIR 30 mg.	300
	7-26-05	Dilaudid 8 mg.	100
	7-26-05	MSIR 30 mg.	300
	10-18-05	MSIR 30 mg.	300
	10-18-05	Dilaudid 8 mg.	100
	12-6-05	Dilaudid 8 mg.	100
	12-6-05	MSIR 30 mg.	300
	1-31-06	MSIR 30 mg.	300
	1-31-06	Dilaudid 8 mg.	100
	Patient CSS	10-14-03	Oxycodone 5 mg.
10-14-03		Oxycontin 20 mg.	300
2-17-04		Oxycontin 20 mg.	180
2-17-04		Oxycodone 5 mg.	300
5-5-04		Oxycontin 20 mg.	180
5-5-04		Oxycodone 5 mg.	300
11-17-04		Oxycontin 20 mg.	200
11-17-04		Oxycodone 5 mg.	300
12-16-04		Oxycodone 5 mg.	300
12-16-04		Oxycontin 20 mg.	200
1-11-05		Oxycontin 80 mg.	120
2-8-05		Oxycodone 5 mg.	300
2-8-05		Oxycontin 20 mg.	300
4-6-05		Oxycodone 5 mg.	400
6-8-05		Oxycodone 5 mg.	400
7-20-05		Oxycodone 5 mg.	400
8-8-05		Methylin 10 mg.	200
8-31-05		Oxycodone 5 mg.	400
10-7-05		Oxycodone 5 mg.	300
1-3-06		Oxycodone 5 mg.	300
2-1-06	Oxycodone 5 mg.	200	
3-1-06	Oxycodone 5 mg.	200	
3-1-06	Oxycontin 20 mg.	300	

xv. On or about July 13, 2006, Defendant met with Mr. Sosbee and the Board Secretary. During this meeting, Defendant admitted that he had been purposely concealing some of his prescriptions from Mr. Sosbee and the Board Secretary.

Defendant admitted that he intentionally alternated serially numbered pads and non-serially numbered pads so that the Board would not know the true extent of his prescribing of controlled dangerous substances.

xvi. 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 physician 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).

5. I hereby submit my wallet card and wall certificate as evidence of my intent to surrender my license.

6. I hereby agree that I will not apply for reinstatement of my Oklahoma medical license for a minimum of one year from the entry of the Order Accepting Voluntary Surrender in Lieu of Prosecution, and that if the Board ever reinstates my Oklahoma medical license, it will be under terms of probation to be set by the Board at the time of reinstatement.

7. As a condition to accepting my surrender of license in lieu of prosecution, I acknowledge that the Board may require me to pay all costs expended by the Board for any legal fees and costs, and any investigation, probation and monitoring fees, including but not limited to staff time, salary and travel expense, witness fees and attorney fees.

DATED this 18th day of November, 2006.


Bryan A. Van Doren, M.D.


Subscribed and sworn before me this 18th day of November, 2006.




Annisha Catanzaro
Notary Public
#04010168

My commission expires on 11-8-08.

ACCEPTED:


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

Date: 11-3-06