

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

**FILED**

IN THE MATTER OF THE  
APPLICATION OF

BRYAN ANDREW VAN DOREN, M.D.,

FOR REINSTATEMENT OF OKLAHOMA  
MEDICAL LICENSE NO. 17313

NOV 10 2011

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Case No. 98-12-2048

**ORDER GRANTING ONE YEAR RESTRICTED  
LICENSE UNDER TERMS OF PROBATION**

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision on November 3, 2011, at the Board office, 101 N.E. 51<sup>st</sup> Street, Oklahoma City, Oklahoma 73105, pursuant to notice given as required by law and rules of the Board.

Defendant, Bryan Andrew Van Doren, M.D., appeared in person and through counsel, Daniel Gamino.

Elizabeth A. Scott, Assistant Attorney General, appeared on behalf of the State of Oklahoma, ex rel. the Oklahoma State Board of Medical Licensure and Supervision.

The Board *en banc* heard testimony, reviewed the exhibits presented, and being fully apprised of the premises, entered 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. Defendant, Bryan A. Van Doren, M.D., holds Oklahoma license no. 17313.

3. In July 1988, Defendant was treated at St. Joseph's in Wichita, Kansas for alcohol abuse. He then returned to treatment at Talbott Recovery Center in Atlanta, Georgia for alcohol dependence from November 1988 through March 1989.

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. In 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. Defendant was discharged from Talbott in April 1999.

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. 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.

11. The provisions cited above were not modified or deleted but remained in full force and effect as terms and conditions of Defendant's licensure under terms of probation.

12. 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 Duragesic patches without physician authorization beginning in early February and continuing through March 7, 2006.

13. 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.

14. 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.

15. 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 147 prescriptions for controlled dangerous substances 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.

16. On or about November 3, 2006, the Board accepted Defendant's Voluntary Surrender of License in Lieu of Prosecution.

17. In or around 2007, Defendant moved to Indiana and began actively using Crack Cocaine. Defendant overdosed on Crack Cocaine on numerous occasions.

18. On or about May 7, 2007, Defendant was arrested and charged with Possession of Drug Paraphernalia. The charges were later dismissed.

19. On or about May 17, 2007, Defendant was arrested and charged with Possession of Drug Paraphernalia. The charges were later dismissed.

20. On or about July 18, 2007, Defendant was arrested and charged with Possession of Cocaine and Possession of Drug Paraphernalia. He plead guilty and was sentenced to 500 days in the Indiana Department of Corrections.

~~21. On or about August 14, 2007, Defendant was arrested and charged with Possession of Cocaine and Possession of Drug Paraphernalia. He plead guilty and was sentenced to five (5) years in the Indiana Department of Corrections.~~

22. From June 2008 through February 1, 2010, Defendant was incarcerated at the Indiana State Penitentiary.

23. Upon release from prison, Defendant moved to Oklahoma, where his probation was transferred to the Oklahoma Department of Corrections. Defendant's probation ended June 3, 2011.

24. Defendant is now seeking reinstatement of his Oklahoma medical license no. 17313.

### **CONCLUSIONS OF LAW**

1. The Board has jurisdiction to reinstate the license of a physician pursuant to 59 O.S. §508.1.

2. The Board may impose practice parameters and other restrictions as necessary to protect the health, safety and welfare of the public under 59 O.S. §480 *et seq.*

### **ORDER**

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

1. Defendant shall be granted a license for a term of **ONE (1) YEAR** with the **RESTRICTION** that he be allowed to practice only at the University of Oklahoma/Tulsa Addiction Medicine Fellowship Program.

2. Defendant's one (1) year restricted medical license shall be reinstated on **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.

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 not prescribe, order, administer, dispense or possess any drugs in Schedules I through V.

F. Defendant shall execute a contract with the Oklahoma Health Professionals Recovery Program.

G. Defendant will submit biological fluid specimens to include, but not limited to, blood and urine, as well as hair follicles, for analysis, upon request of the Oklahoma State Board of Medical Licensure and Supervision or its designee, and Defendant will pay for the analysis thereof.

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

I. 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.

J. Defendant will have the affirmative duty not to ingest any substance, including but not limited to alcohol, which will cause a body fluid sample to test positive for prohibited substances.

K. Defendant will abide by the terms and recommendations of the Oklahoma Health Professionals Recovery Program. Defendant will authorize in writing the release of any and all records of that treatment to the Oklahoma State Board of Medical Licensure and Supervision and will authorize the Compliance Consultant to the Board to discuss his case and treatment with the individuals providing Defendant's treatment.

L. Defendant will attend five (5) meetings per week of a local 12-step program, to include the weekly Health Professionals Recovery Program meetings.

M. Defendant shall obtain a primary care physician for his primary care health needs to be approved in advance in writing by the Board Secretary.

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

O. Defendant shall promptly notify the Board of any citation or arrest for traffic or for criminal offenses involving substance abuse.

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

Q. 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 fifty dollar (\$150.00) 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.

R. 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.

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

request.

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

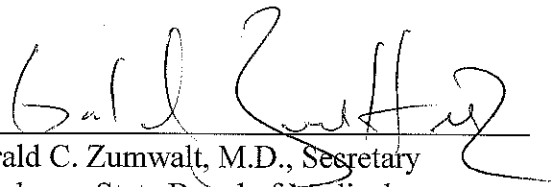
U. Failure to meet any of the terms of this Board Order will constitute cause for the Board to initiate additional proceedings to suspend, revoke or modify Defendant's license after due notice and hearing.

3. Defendant's restricted license is granted for a period of only one (1) year. At the conclusion of one (1) year, Defendant shall appear before the Board for further disposition of his license.

4. Defendant's license will be reinstated only upon payment in full of all costs and expenses incurred by the State of Oklahoma.

5. A copy of this written order shall be sent to Defendant as soon as it is processed.

Dated this 10 day of November, 2011.

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

**Certificate of Service**

On the 10 day of November, 2011, a true and correct copy of this order was mailed, postage prepaid, to Bryan Andrew Van Doren, 7531 S. Trenton Place, Tulsa, OK 74136 and to Daniel Gamino, 3315 N.W. 63<sup>rd</sup> Street, Oklahoma City, OK 73116.

  
Janet Swindle