

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

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel)	
OKLAHOMA STATE BOARD OF MEDICAL)	
LICENSURE AND SUPERVISION)	
)	
Plaintiff)	
)	
vs.)	
)	
SCOTT PACE, M.D.)	
LICENSE NUMBER 18169)	CASE NUMBER 95-11-1772
)	
Defendant)	

VOLUNTARY SUBMITTAL TO JURISDICTION AND ORDER

NOW ON THIS 9th day of May, 1996, there comes on before the Oklahoma Board of Medical Licensure and Supervision, the above styled and numbered cause of action. The defendant, Scott Pace, M.D., the undersigned, states that he is of sound mind and not under the influence of any medication or drug or impaired thereby and that the defendant fully recognizes his right to appear before the Oklahoma State Board of Medical Licensure and Supervision, for evidentiary hearing on the allegations against the defendant herein. Of his own volition and decision, the defendant waives his right to appear before the Board of Medical Licensure and Supervision for a full hearing and pleads guilty to the allegations set forth in the Complaint. Further, the defendant, Scott Pace, M.D., believes that a hearing before the Board of Medical Licensure and Supervision would result in some sanction invoked by the Board under the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act. Therefore, Defendant Scott Pace hereby voluntarily and of his own volition submits to the jurisdiction of the Board, acknowledges the allegations herein and agrees to abide by the conditions and terms of the Order.

FINDINGS OF FACT

1. That Scott Pace, M.D., holding Oklahoma Medical License Number 18169, is in violation of the Oklahoma Medical Practice Act, 59 O.S. Supp 1994 §509, Paragraphs 5 and 16, to wit:

On or about January of 1995, Defendant did practice medicine and surgery

at the Muskogee Regional Medical Center while under the influence of drugs, in violation of the Oklahoma Medical Practice Act 59 O.S. 1994 Supp, §509(5) "Habitual intemperance or the habitual use of habit forming drugs" and 59 O.S. 1994 Supp.,§509(16) "The inability 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."

2. That Scott Pace, M.D., holding Oklahoma Medical License Number 18169, is in violation of the Oklahoma Administrative Code, 435:10-7-4(3) "The habitual or excessive use of any drug which impairs the ability to practice medicine with reasonable skill and safety to the patient" and 435:10-7-4(18) "Practice or other behavior that demonstrates an incapacity or incompetence to practice medicine and surgery."

3. That on or about February 4, 1995, Defendant did enter Rush Behavioral Center, Chicago, Illinois for treatment for drug addiction.

4. That since completing treatment for drug addiction at Rush Behavioral Center, Defendant has failed to adhere to the after-care contract entered into with that facility, thus perpetuating significant harm to public health, safety and welfare by failure to maintain good recovery from addiction to drugs.

CONCLUSIONS OF LAW

1. The Oklahoma Board of Medical Licensure and Supervision has jurisdiction in this matter by virtue of the provisions of the Oklahoma Medical Practice Act, 59 O.S. 1991 §481 et seq., as amended;

2. By virtue of the provisions of the Oklahoma Medical Practice Act, the Board has the power and jurisdiction to enforce the provisions of the Act as the Board deems necessary to protect the public health, safety and welfare;

3. The Defendant, by reason of the above facts, is in violation of 59 O.S. Supp 1994 §509(5) and (16) and 435:10-7-4(3 and (18).

ORDER

IT IS THEREFORE ORDERED by the Oklahoma Board of Medical Licensure and Supervision that:

1. The Defendant, Scott Pace, M.D., holding medical license number 18169, shall be under the following terms and conditions for a period of probation to begin

_____, 1996 and continue for a period of five (5) years from that date.

2. During the period of probation, the Defendant will keep duplicate, serially numbered prescriptions of all controlled dangerous substances readily retrievable, in numerical order and will furnish copies to investigators or other authorized agents of the Oklahoma State Board of Medical Licensure and Supervision upon request.
3. During the period of probation Defendant will submit biological fluid specimens to include, but not limited to, blood and urine for analysis upon request of the Board or its designee and Defendant will pay for the analysis thereof.
4. During the period of probation, Defendant will not prescribe, administer or dispense any medications for his personal use.
5. During the period of probation, 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 of treatment.*
6. During the period of probation, Defendant will participate in the Oklahoma State Medical Association Physician Recovery Committee meetings and recovery program as designated by its leadership.
7. During the period of probation, Defendant will strictly adhere to the after-care contract entered into between Defendant and Rush Behavioral Center, Chicago, Illinois.
8. During the period of probation, Defendant will conduct his practice in compliance with the Oklahoma Medical Practice 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 or interpretation is received from the Board.*
9. During the period of probation, Defendant will not allow the initiation of any therapeutic regimen by any personnel under his supervision unless he is in the immediate geographic vicinity of said personnel.
10. During the period of probation Defendant will furnish to each and every state in which he hold licensure or applies for licensure and hospitals, clinics or other institutions in which he holds or anticipates holding any form of staff privilege, a copy of the Board Order stipulating sanctions imposed by the Board.
11. During the period of probation, Defendant will not supervise a Physician Assistant.
12. During the period of probation, Defendant will keep the Board informed of

his current addresses, both mailing and practice addresses and pay for costs associated with the investigation, prosecution and monitoring of this case within thirty (30) days of receipt of invoices received from this Board.

Violation of any of the terms or conditions of probation shall be grounds for additional charges to be presented to the Board after notice to Defendant in accordance with appropriate Oklahoma law.

The jurisdiction of the Board in this individual proceeding will continue until the terms and conditions of probation are modified or lifted by the Oklahoma Board of Medical Licensure and Supervision on its own motion or that of the Defendant.

DATED this 9TH day of May, 1996.

Scott Pace, M.D.
SCOTT PACE, M.D.