

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

FILED

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

Plaintiff,

v.

GEORGE BLAKE, M.D.,
LICENSE NO. 18245,

Defendant.

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 08-10-3605

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, George Blake, 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, George Blake, M.D., holds Oklahoma license no. 19245.

3. On or about December 18, 2008, Defendant was charged in the District Court of Tulsa County, State of Oklahoma, in the case styled State of Oklahoma v. George J. Blake, Case No. CF-2008-6169. Defendant was charged with one (1) count of Distributing a Controlled and Dangerous Substance, a felony, in violation of 63 O.S. §2-401(A)(1).

4. The Information filed by the State of Oklahoma reflects that on or about April 13, 2005, Defendant knowingly and intentionally with the intent to distribute and did distribute a controlled substance, Amphetamine (Adderall) not in good faith and outside the course of professional practice.

5. On or about January 8, 2009, Defendant entered into a Judgment and Sentence with the State of Oklahoma wherein he pled guilty to the one (1) count of Distributing a Controlled and Dangerous Substance as set forth in the Information.

6. Under the Judgment and Sentence, Defendant was sentenced to five (5) years suspended sentence under the Department of Corrections and was ordered to pay a \$5,000.00 fine plus costs.

7. On or about January 21, 2009, Defendant's license was summarily suspended by Lyle R. Kelsey, Executive Director for the Board based upon 59 O.S. §506(B).

8. Title 59 O.S. §513(3) provides as follows:

Upon proof of a final felony conviction by the courts and after exhaustion of the process, the Board shall revoke the physician's license... Suspension or revocation of the license of any person convicted of a felony on any other grounds than that of moral turpitude or the violation of the federal or state narcotics laws, shall be on the merits of the particular case...

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

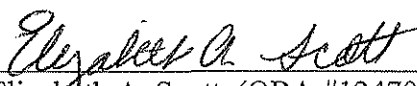
- A. Was convicted of a felony or of any offense involving moral turpitude in violation of 59 O.S. §509(5) and OAC 435:10-7-4(10).
- B. Was convicted or confessed to a crime involving violation of the laws of this state and the federal government in violation of 59 O.S. §509(7).
- C. Engaged in dishonorable 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).
- D. Committed any act which is a violation of the criminal laws of any state when such act is connected to the physician's practice of medicine in violation of 59 O.S. §509(9).
- E. Engaged in the use of any false, fraudulent, or deceptive statement in any document connected with the practice of medicine and surgery in violation of OAC 435:10-7-4(19).
- F. 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).
- G. Violated any state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).
- H. Wrote a false or fictitious prescription for any drug or narcotic declared by the laws of this state to be controlled or narcotic drugs in violation of 59 O.S. §509 (11).

- I. Prescribed or administered a drug or treatment without sufficient examination and the establishment of a valid physician patient relationship in violation of 59 O.S. §509 (12).
- J. Prescribed, dispensed or administered a controlled substance or narcotic drugs in excess of the amount considered good medical practice, or prescribed, dispensed or administered controlled substances or narcotic drugs without medical need in accordance with published standards in violation of 59 O.S. 509(16).
- K. Engaged in the indiscriminate or excessive prescribing, dispensing or administering of controlled or narcotic drugs in violation of OAC 435:10-7-4(1).
- L. Prescribed, dispensed or administered controlled substances or narcotic drugs in excess of the amount considered good medical practice or prescribed, dispensed or administered controlled substances or narcotic drugs without medical need in accordance with published standard in violation of OAC 435:10-7-4(2) and (6).

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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