

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.)

GREGORY SINCLAIR CONNOR, M.D.,)
LICENSE NO. 18269,)

Defendant.)

MAR 02 2006

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 05-08-2992

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, Gregory Sinclair Connor, M.D., Oklahoma license no. 18269, 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, Gregory Sinclair Connor, M.D., holds Oklahoma license no. 18269 and practices as a neurologist in Tulsa, Oklahoma.

Patient DSW

3. In or around May 2001, Defendant met Patient DSW over the Internet. Defendant began dating Patient DSW in or around June 2001, and they were "married" in New York by a Sheikh in the fall of 2001. Patient DSW continued to live with Defendant until the end of 2001 at which time she moved out of their home. A review of pharmacy records reveals that during the time they were either married or dating, Defendant prescribed Ativan, a Schedule IV controlled dangerous substance, Flonase and Hydrochlorothiazide for Patient DSW. A review of Defendant's records reveals that he kept no record of this treatment of Patient DSW, that he did not establish a legitimate medical need for the medical treatment, that he did not perform a sufficient examination prior to prescribing medications, and that he failed to maintain an office

record which accurately reflects the evaluation, treatment and medical necessity of treatment of the patient.

4. Beginning in or around June 2001 and continuing through the end of 2001, Defendant engaged in sexual intercourse with Patient DSW. Defendant claims that he was not legally married to Patient DSW at any time. Defendant admits that he engaged in these sexual acts at the same time he was maintaining a doctor-patient relationship and prescribing controlled dangerous substances and other dangerous drugs to this patient.

5. A review of pharmacy records reveals that during 2002 and 2003, Defendant continued to prescribed controlled dangerous substances and other dangerous drugs to Patient DSW, including two (2) prescriptions for Bontril, a Schedule III controlled dangerous substance, two (2) prescriptions for Lorazepam, a Schedule IV controlled dangerous substance, and two (2) prescriptions for Apri tabs, birth control tablets. Defendant additionally admits that he prescribed some antibiotics to Patient DSW, and that he gave her samples of Topamax. Patient DSW also claims that Defendant gave her samples of Zoloft and Wellbutrin. A review of Defendant's records reveals that he kept no record of this treatment of Patient DSW, that he did not establish a legitimate medical need for the medical treatment, that he did not perform a sufficient examination prior to prescribing medications, and that he failed to maintain an office record which accurately reflects the evaluation, treatment and medical necessity of treatment of the patient.

6. Defendant admits that in or around October 2003, he took Patient DSW on a trip with him to Hawaii, at which time they again engaged in sexual intercourse.

7. On or about November 18, 2003, Defendant was charged in the District Court of Tulsa County, State of Oklahoma with **ASSAULT AND BATTERY-DOMESTIC**, a criminal misdemeanor. On that same date, a warrant for his arrest was issued. Defendant subsequently agreed to pay court costs and the case was dismissed on February 6, 2004.

8. On or about September 7, 2004, Defendant submitted his Application for Renewal of Oklahoma License. On his application, Defendant was asked the following question:

"Since the last renewal or initial licensure (whichever is most recent), have you been arrested for, charged with, or convicted of a felony or misdemeanor other than a traffic violation?"

In response to this question, Defendant answered "No."

Patient DCW

9. Beginning on or around October 31, 2003 and continuing through January 11, 2005, Defendant gave Patient DCW prescriptions for controlled dangerous drugs and other dangerous drugs. Medications prescribed include Percocet, a Schedule II controlled dangerous drug, Alprazolam, a Schedule IV controlled dangerous drug, and Maxalt, a non-controlled

dangerous drug. Defendant also gave Patient DCW Klonopin samples. A review of Defendant's records reveals that he kept no record of this treatment of Patient DCW, that he did not establish a legitimate medical need for the medical treatment, that he did not perform a sufficient examination prior to prescribing medications, and that he failed to maintain an office record which accurately reflects the evaluation, treatment and medical necessity of treatment of the patient.

10. The prescriptions for Alprazolam set forth in paragraph 9 above were not written in the name of Patient DCW but were written in the name of TMW, the niece of Patient DCW, to be picked up and used by Patient DCW. A review of Defendant's records reveals that he kept no record of this prescription to Patient TMW, that he did not establish a legitimate medical need for the medical treatment, that he did not perform a sufficient examination prior to prescribing medications, and that he failed to maintain an office record which accurately reflects the evaluation, treatment and medical necessity of treatment of the patient.

11. Beginning in or around March 2004 and continuing through the end of 2005, Defendant engaged in sexual intercourse with Patient DCW. Defendant engaged in these sexual acts at the same time he was maintaining a doctor-patient relationship and prescribing controlled dangerous substances and other dangerous drugs to this patient.

12. On or about October 14, 2005, the Board's investigator interviewed Defendant. When questioned about Patient DCW, Defendant denied having a sexual relationship with her.

13. In December 2005, Defendant obtained an assessment at Vanderbilt University Medical Center. During the assessment, Defendant admitted the sexual relationship with Patient DSW, but did not admit the sexual relationship with Patient DCW.

14. On or about January 4, 2006, the Board's investigator interviewed Patient DCW. Patient DCW advised the Board investigator that Defendant had previously advised her that if Board investigators asked her about her relationship with Defendant, he wanted her to "straight up lie" about it.

15. When Defendant returned from Vanderbilt, on or about January 13, 2006, the Board's investigator again confronted Defendant about his relationship with Patient DCW. Defendant again denied any sexual relationship. The investigator then advised him that he had corroborated the sexual relationship with substantial evidence. At that time, Defendant admitted that he did have a sexual relationship with Patient DCW. When asked why he had not told Vanderbilt about Patient DCW, Defendant admitted he did not want Vanderbilt to think there was a pattern to his actions.

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

- A. 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).

- B. Engaged in physical conduct with a patient which is sexual in nature, ... in violation of 59 O.S. §509 (17).
- C. Committed an act of sexual ... misconduct or exploitation related or unrelated to the licensee's practice of medicine and surgery in violation of OAC 435:10-7-4 (23).
- D. Abused the physician's position of trust by coercion [or] manipulation ... in the doctor-patient relationship in violation of OAC 435:10-7-4(44).
- E. 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).
- F. Failed to maintain an office record for each patient which accurately reflects the evaluation, treatment, and medical necessity of treatment of the patient in violation of 59 O.S. §509 (18).
- G. Violated any state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).
- H. 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).
- I. Committed an act which is a violation of the criminal laws of any state when such act is connected with the physician's practice of medicine in violation of 59 O.S. §509(9).
- J. Prescribed, dispensed or administered controlled substances or narcotic drugs in excess of the amount considered good medical practice, or prescribing, dispensing or administering controlled substances or narcotic drugs without medical need in accordance with published standards in violation of 59 O.S. §509(16) and OAC 435:10-7-4(2) and (6).
- K. Engaged in fraud or misrepresentation in applying for or procuring a medical license or in connection with applying

for or procuring periodic reregistration of a medical license in violation of OAC 435:10-7-4(8).

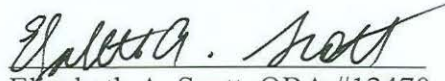
- L. Engaged in the use of any false, fraudulent, or deceptive statement in any document connected with the practice of medicine and surgery in violation of OAC 435:10-7-4(19).
- M. Prescribed, sold, administered, distributed, ordered, or gave any drug legally classified as a controlled substance or recognized as an addictive dangerous drug to a family member or to himself or herself in violation of OAC 435:10-7-4(26).
- N. Failed to furnish the Board, its investigators or representatives, information lawfully requested by the Board in violation of OAC 435:10-7-4(37).
- O. Failed to cooperate with a lawful investigation conducted by the Board in violation of OAC 435:10-7-4(38).

Conclusion

WHEREFORE, plaintiff 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 the revocation or suspension of the Defendant's license to practice as a physician and surgeon in the State of Oklahoma, the assessment of costs and fees incurred in this action, and any other appropriate action with respect to Defendant's license to practice as a physician and surgeon in the State of Oklahoma.

Dated this 2nd day of March, 2006 at 10:00 a.m.

Respectfully submitted,



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Oklahoma State Board of Medical
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