

Board and agrees to abide by the terms and conditions of this Order. Defendant acknowledges that he has read and understands the terms and conditions stated herein.

PARTIES' AGREEMENT AND STIPULATIONS

Plaintiff, Defendant and the Board staff stipulate and agree as follows:

Findings of Fact

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.* The Board has jurisdiction over this matter, and notice has been given in all respects in accordance with law and the rules of the Board.

2. Defendant, Christian Erick Kaufman, M.D., holds Oklahoma license no. 18421 and practices internal medicine at the University of Oklahoma Health Sciences Center in Oklahoma City, Oklahoma.

ALCOHOL ABUSE

3. In or around 2001, Defendant was practicing in Springfield, Missouri. During this time, he began to abuse alcohol on a regular basis. Clinic staff confronted him about his alcohol abuse and the fact that he had missed work due to hangovers. Defendant contacted the Missouri Health Professionals Recovery Program and agreed to go to treatment for alcohol abuse.

4. Beginning in January 2002, Defendant submitted to treatment for alcohol abuse at Talbott for approximately six (6) months. Upon his release, he entered into a five (5) year contract with the Missouri Health Professionals Recovery Program.

5. Approximately one (1) year after completing his contract with the Missouri Health Professionals Recovery Program, Defendant relapsed on alcohol.

6. Defendant continued to abuse alcohol for the next two (2) years until he was again confronted by clinic staff in March 2010. At that time, he had been drinking while on call and had missed call because of his drinking.

7. After being confronted by clinic staff, Defendant admitted that he had relapsed and he re-affiliated with the Missouri Health Professionals Recovery Program. However, he continued to abuse alcohol.

FRAUDULENT REINSTATEMENT APPLICATION

8. In or around July 2010, Defendant resigned his position in Springfield and moved to Oklahoma to begin employment at the University of Oklahoma Health Sciences Center.

9. On or about August 18, 2010, Defendant submitted his Application for Reinstatement of Oklahoma License. On his Application for Reinstatement, Defendant was asked the following question: "Are you now or have you within the past two years been addicted to or used in excess any drug or chemical substance, including alcohol?" In response to this question, Defendant answered "NO". Defendant has admitted that he had relapsed and was still abusing alcohol during this time.

10. On his August 18, 2010 Application for Reinstatement, Defendant was also asked the following question: "Have you obtained an assessment or been treated for the use of any drug or chemical substance, including alcohol?" In response to this question, Defendant answered "NO". Defendant has admitted that he spent approximately six (6) months in treatment at Talbott in 2002.

11. In or around late October 2010, the Missouri Health Professionals Recovery Program contacted OUHSC and advised them of Defendant's prior treatment and alcohol abuse. Representatives of the OUHSC then confronted Defendant about his past history with alcohol abuse and treatment. Defendant admitted that he had not been truthful with OUHSC when seeking employment and had not reported his past abuse and treatment. He also admitted that he had relapsed on alcohol.

12. On or about November 8, 2010, Defendant entered Talbott for treatment for alcohol abuse for a second time. Defendant was discharged from treatment on or about March 30, 2011.

13. Prior to discharge from Talbott, Defendant met with Board investigators and admitted that he had lied on his application for reinstatement by not disclosing his prior treatment and most recent relapse on alcohol.

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

A. Habitually uses habit-forming drugs in violation 59 O.S. 407 §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. 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. 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).

Conclusions of Law

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act (the "Act") and its applicable regulations. The Board is authorized to enforce the Act as necessary to protect the public health, safety and welfare.

2. Defendant, Christian Erick Kaufman, M.D., Oklahoma medical license 18421, is guilty of unprofessional conduct set forth below based on the foregoing facts:

A. Habitually uses habit-forming drugs in violation 59 O.S. 407 §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. 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. 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).

Order

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

1. The Board *en banc* hereby adopts the agreement of the parties in this Voluntary Submittal to Jurisdiction.

2. Defendant shall pay an **ADMINISTRATIVE FINE** in the amount of **\$5,000.00**, to be paid on or before November 15, 2011.

3. Defendant, Christian Erick Kaufman, M.D., Oklahoma license no. 18421, is hereby **PUBLICLY REPRIMANDED**.

4. Pursuant to the parties' voluntary agreement and submittal to jurisdiction, Defendant shall be placed on **PROBATION** for a period of **FIVE (5) YEARS** 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 execute such releases of medical and psychiatric records during the entire term of probation as necessary for use by the Compliance Consultant or other Board designee to obtain copies of medical records and authorize the Compliance Consultant or other Board designee to discuss Defendant's case with Defendant's treating physicians and/or physicians holding Defendant's records.

F. Defendant will submit biological fluid specimens to include, but not limited to, blood and urine, 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.

G. Defendant shall work no more than forty (40) hours per week.

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 authorize in writing the release of any and all information regarding his treatment at Talbott Recovery Campus and any other records of his medical, emotional or psychiatric treatment to the Oklahoma State Board of Medical Licensure and Supervision.

- L. Defendant will abide by the terms and recommendations of Talbott and with all terms of his postcare contracts with Talbott and the Oklahoma Health Professionals Recovery Program.
- M. Defendant will sign a contract with and attend a minimum of one (1) meeting per week of the Health Professionals Recovery Program unless excused by the HPRP. Defendant shall abide by all requirements of his contract with the HPRP.
- N. Defendant will attend a minimum of four (4) 12-Step meetings per week in addition to his weekly HPRP meeting.
- O. Defendant shall obtain a primary care physician who shall monitor his general health and who shall also be responsible for managing the use of all prescription and non-prescription medications. Defendant's primary care physician shall be experienced in addiction medicine and shall be approved in advance in writing by the Board Secretary.
- P. Defendant shall obtain a sponsor.
- Q. Defendant shall initiate and continue therapy for depression and family issues with a Ph.D level therapist approved in advance in writing by the Board Secretary. Defendant shall submit quarterly reports of his treatment from his therapist to the Board Secretary or his designee for his review. Defendant shall continue his counseling until his therapist and the Board Secretary deems it no longer necessary.
- R. Defendant shall return to Talbott for all scheduled return visits as outlined in his Continuing Care Plan.
- S. Defendant shall promptly notify the Board of any relapse, including any entry, or re-entry, into a treatment program for substance abuse.
- T. Defendant shall promptly notify the Board of any citation or arrest for traffic or for criminal offenses involving substance abuse.
- U. Defendant will keep the Oklahoma State Board of Medical Licensure and Supervision informed of his current address.
- V. 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.

W. 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.

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

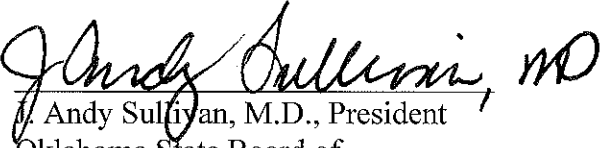
Y. Defendant shall submit any required reports and forms on a timely, accurate and prompt basis to the Compliance Coordinator or designee.

Z. 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.

5. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and investigation costs.

6. Defendant's probation shall not be lifted unless Defendant has reimbursed the Board for all taxed costs and fees.

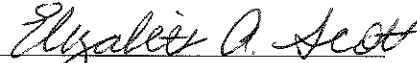
Dated this 15th day of September, 2011.


J. Andy Sullivan, M.D., President
Oklahoma State Board of
Medical Licensure and Supervision

AGREED AND APPROVED

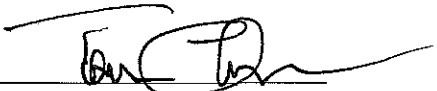


Christian Erick Kaufman, M.D.
License No. 18421



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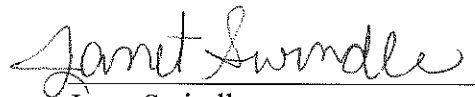


Gerald C. Zumwalt, M.D.
Secretary and Medical Advisor
Oklahoma State Board of
Medical Licensure and Supervision

Attorney for Defendant

CERTIFICATE OF MAILING

I certify that on the 16 day of September, 2011, a mailed a true and correct copy of the Order Accepting Voluntary Submittal to Jurisdiction to Tom Gruber, Gable Gotwals, One Leadership Square, 15th Floor, 211 N. Robinson, Oklahoma City, OK 73102.



Janet Swindle