

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

**FILED**

SEP 24 1998

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA )  
EX REL. THE OKLAHOMA BOARD )  
OF MEDICAL LICENSURE )  
AND SUPERVISION, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
BRYAN SCOTT WOOD, M.D., )  
M.D. LICENSE NO. 18662, )  
 )  
Defendant. )

Case No. 98-05-1996

**VOLUNTARY SUBMITTAL TO JURISDICTION**

Plaintiff, the State of Oklahoma, ex rel. the Oklahoma State Board of Medical Licensure and Supervision (the "Board"), by and through its attorney, Susan Moebius Henderson, Assistant Attorney General for the State of Oklahoma and the staff of the Board, as represented by the Secretary of the Board, Gerald C. Zumwalt, M.D., and the Executive Director of the Board, Lyle Kelsey, and the Defendant, Bryan Scott Wood, M.D., Oklahoma license no. 18662, who appears in person, proffer this Agreement for acceptance by the Board *en banc* pursuant to Section 435:5-1-5.1 of the Oklahoma Administrative Code ("OAC").

***AGREEMENT AND ACKNOWLEDGMENT BY DEFENDANT***

By voluntarily submitting to jurisdiction and entering into this Order, Defendant pleads guilty to the allegations in the Complaint and Citation filed herein on June 12, 1998 and acknowledges that hearing before the Board would result in some sanction under the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act (the "Act").

Defendant, Bryan Scott Wood, M.D., states that he is of sound mind and is not under the influence of, or impaired by, any medication or drug and that he fully recognizes his right to appear before the Board for evidentiary hearing on the allegations made against him. Defendant hereby voluntarily waives his right to a full hearing, submits to the jurisdiction of the Board and agrees to abide by the terms and conditions of this Order. Defendant has been represented by legal counsel during some of these proceedings and has elected to proceed to hearing without counsel. 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.*

2. Defendant, Bryan Scott Wood, M.D., holds Oklahoma license no. 18662 in the State of Oklahoma.

3. On July 21, 1998, the Board granted a continuance in this cause. Prior to and during the period of continuance, Defendant:

- a. Delivered his narcotics permits to the Board for surrender to the proper authorities at the United States Drug Enforcement Agency and the Oklahoma Bureau of Narcotics and Dangerous Drugs Control and agreed not apply to reinstate his permits without Board approval.
- b. Completed an inpatient evaluation for possible addiction and codependency at RUSH Behavioral Center in Chicago, Illinois, and submitted to the Board a written report of the findings made by RUSH.

4. The July 21, 1998 order authorized the Board to consider the RUSH report and all findings from RUSH in determining appropriate sanctions against Defendant.

5. Through the unlawful methods described below, Defendant obtained for his wife, or assisted his wife in obtaining, prescriptions for hydrocodone, a Schedule III controlled substance (C-III) and oxycontin, a controlled substance (C-II). Defendant's actions were taken with knowledge of his wife's hydrocodone addiction and occurred in part while Defendant's wife was pregnant.

6. Defendant has written prescriptions for hydrocodone (C-III) in the name of his wife's sister to be filled and used by his wife.

7. Defendant has forged the signature and DEA number of Michael Terry, M.D., holding Oklahoma medical license no. 11835, in order to provide hydrocodone and oxycontin prescriptions to his wife. Upon information and belief, Dr. Terry was not practicing in the State of Oklahoma at the time these prescriptions were forged.

8. During 1997 Defendant asked five (5) other physicians to write him prescriptions for hydrocodone (C-III) so that he could obtain the drug for his wife's use. Records from several local pharmacies show the following prescriptions written in Defendant's name by these five physicians:

Date	Drug	Amount	RX No.	Prescribing M.D.
3/17/97	Lorcet 10mg	15	111474	OK Lic. No. 3137
3/17/97	Lorcet 10mg	40	33161	OK Lic. No. 18610
4/6/97	Hydrocodone- APAP 10mg	20	3264309	OK Lic. No. 18469
4/17/97	Lorcet 10mg	30	111664	OK Lic. No. 18469
5/1/97	Lortab 7.5 mg	30	111768	OK Lic. No. 18610
5/3/97	Lorcet 10mg	20	3107786	OK Lic. No. 18469
5/23/97	Hydrocodone- APAP 10mg	30	43218	OK Lic. No. 18469
5/30/97	Lorcet 10mg	15	111928	OK Lic. No. 18610
6/7/97	Lorcet 10mg	30	4446362	OK Lic. No. 18469
6/9/97	Lorcet 10mg	15	111962	OK Lic. No. 15810
6/20/97	Hydrocodone- APAP 10mg	30	3293416	OK Lic. No. 18469
7/5/97	Lorcet 10mg	30	3116645	OK Lic. No. 18469
7/10/97	Lorcet 10 mg	30	3299698	Brian Cook, resident
7/11/97	Lortab 10mg	30	3729236	OK Lic. No. 18610
7/14/97	Hydrocodone- APAP 10mg	30	50196	OK Lic. No. 18469
7/21/97	Lortab 10mg	30	4447085	OK Lic. No. 18610
7/23/97	Lorcet 10mg	30	112244	OK Lic. No. 15810
8/2/97	Hydrocodone- APAP 10mg	30	52562	OK Lic. No. 18469
9/19/97	Lorcet 10mg	30	3127046	OK Lic. No. 18469
10/6/97	Hydrocodone- APAP 10mg	30	3329752	OK Lic. No. 15810
10/7/97	Cyclobenzaprine 10mg	30	6329753	OK Lic. No. 15810
11/7/97	Ambien 10mg	30	4134012	OK Lic. No. 15810
11/30/97	Norco 10mg	30	3351799	OK Lic. No. 18469
12/1/97	Lorazepam 2mg	60	4754908	OK Lic. No. 15810
12/10/97	Norco 10mg	60	118430	OK Lic. No. 15810

9. Defendant also supplied hydrocodone (C-III) to his wife by asking physicians under his supervision to prescribe it for her without first establishing a valid physician patient relationship.

10. In the fall of 1997, Defendant unsuccessfully attempted to detoxify his wife at home using oxycontin controlled release tablets, a Schedule II controlled dangerous substance (C-II). Defendant involved William Dean Spence, M.D., Oklahoma license number 12269, and D.W. Madoux, M.D., Oklahoma license number 15810, in this unlawful detoxification treatment program in violation of OAC 475:30-1-5.

11. Defendant should be evaluated for possible personal impairment or drug addiction and for co-dependence given the nature of his unprofessional conduct involving controlled substances.

12. Based on the above allegations, Defendant is guilty of unprofessional conduct as follows:

- A. Confession of a crime involving a violation of the anti-narcotic laws and regulations of the federal government, and the laws of this state (63 Okla. Stat. §2-406 and §2-408) in violation of 59 Okla. Stat. §509(8).
- B. Commission of any act which is a violation of the criminal laws of this state (63 Okla. Stat. §2-406 and §2-408) when such act is connected with Defendant's practice in violation of 59 Okla. Stat. §509(10).
- C. Use of any false, fraudulent or deceptive statement in any document connected with the practice of medicine and surgery in violation of 59 Okla. Stat. §509(12) and OAC 435:435:10-7-4(19).
- D. Violation, or attempted violation, directly or indirectly, of the provisions of the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act, either as a principal, accessory or accomplice in violation of 59 Okla. Stat. §509(14).
- E. Prescribing, selling, administering, distributing, ordering, or giving drugs legally classified as controlled substances or recognized as addictive dangerous drugs to family members in violation of OAC 435:10-7-4(26).
- F. Prescribing, selling, administering, distributing, ordering, or giving any drug legally classified as a controlled substance or recognized as an addictive

or dangerous drug for other than medically accepted therapeutic purposes in violation of OAC 435:10-7-4(24).

- G. Prescribing, selling, administering, distributing, ordering, or giving to a habitue or addict or any person previously drug dependent, any drug legally classified as a controlled substance or recognized as an addictive or dangerous drug in violation of OAC 435:10-7-4(25).
- H. Violating any state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).

13. Defendant filed a written answer on July 2, 1998 admitting all of the allegations in the Complaint, which are described in substance above at paragraphs 1, 2 and 5-12.

### *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, Bryan Scott Wood, Oklahoma medical license 18662, is guilty of the unprofessional conduct set forth below based on the foregoing facts:

- A. Confession of a crime involving a violation of the anti-narcotic laws and regulations of the federal government, and the laws of this state (63 Okla. Stat. §2-406 and §2-408) in violation of 59 Okla. Stat. §509(8).
- B. Commission of any act which is a violation of the criminal laws of this state (63 Okla. Stat. §2-406 and §2-408) when such act is connected with Defendant's practice in violation of 59 Okla. Stat. §509(10).
- C. Use of any false, fraudulent or deceptive statement in any document connected with the practice of medicine and surgery in violation of 59 Okla. Stat. §509(12) and OAC 435:435:10-7-4(19).

- D. Violation, or attempted violation, directly or indirectly, of the provisions of the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act, either as a principal, accessory or accomplice in violation of 59 Okla. Stat. §509(14).
- E. Prescribing, selling, administering, distributing, ordering, or giving drugs legally classified as controlled substances or recognized as addictive dangerous drugs to family members in violation of OAC 435:10-7-4(26).
- F. Prescribing, selling, administering, distributing, ordering, or giving any drug legally classified as a controlled substance or recognized as an addictive or dangerous drug for other than medically accepted therapeutic purposes in violation of OAC 435:10-7-4(24).
- G. Prescribing, selling, administering, distributing, ordering, or giving to a habitue or addict or any person previously drug dependent, any drug legally classified as a controlled substance or recognized as an addictive or dangerous drug in violation of OAC 435:10-7-4(25).
- H. Violating any state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).

*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. Pursuant to the parties' voluntary agreement and submittal to jurisdiction, Bryan Scott Wood, M.D., holding Oklahoma License No. 18662, is hereby SUSPENDED for a period of thirty (30) days beginning October 15, 1998.

3. Defendant's license shall be reinstated on November 15, 1998, and Defendant shall be placed on PROBATION for a period of five (5) years from the date of reinstatement, with the following terms and conditions of probation:

- A. Defendant will not re-apply for state and federal registration for controlled dangerous substances for at least one (1) year from the date of his surrender, July 9, 1998. Defendant may not petition the Board for removal of this restriction prior to May, 1999. Upon motion of Defendant, the restriction will be removed by the Board only if Defendant can demonstrate to the Board's satisfaction that he will not prescribe, sell, administer, distribute, order, give or dispense any controlled substances or addictive drugs to a family member or to himself.
- B. Assuming Defendant validly obtains his state or federal registration for controlled dangerous substances during the period of probation, he will not prescribe, sell, administer, distribute, order, give or dispense any drug legally classified as a controlled substances or recognized as an addictive drug to a family member or to himself.
- C. Defendant will not authorize or request any personnel under his supervision to initiate or order a prescription to be issued for any of Defendant's family members and will not request any colleague to order or issue any prescription for Defendant's family members.
- D. Defendant will limit his practice to emergency medicine at the hospitals in Ada and Bethany, Oklahoma while under contract with Metroplex Emergency Physician Associates. Any change in practice location or employment shall be approved by the Board or its designee prior to Defendant making such change.
- E. 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.

- F. 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.
- G. Defendant will not supervise allied health professionals.
- H. Defendant will authorize in writing the release of any and all information regarding his treatment at RUSH and any other records of his medical, emotional or psychiatric treatment to the Oklahoma State Board of Medical Licensure and Supervision.
- I. Defendant will abide by the terms and recommendations of RUSH, including psychiatric treatment or counseling with a doctor or therapist approved by the Board. Defendant will authorize in writing the release of any and all records of that treatment to the Board and will authorize the Compliance Consultant to the Board to discuss his case and treatment with the individuals providing Defendant's treatment.
- J. Defendant will participate in an outpatient psychiatric program with a Board certified psychiatrist or therapist approved by the Board or its designee which addresses individual and family issues identified by RUSH and will abide by all recommendations made in such treatment. Defendant will continue treatment until he is discharged as a patient no longer in need of treatment.
- J. Defendant will attend monthly meetings of the Physicians Recovery Program in Oklahoma City, Oklahoma or another professional or physician support group approved by the Board or its designee and will abide by the group's recommendations.
- K. Defendant will attend regular meetings of Al-Anon.
- L. Defendant will keep the Oklahoma State Board of Medical Licensure and Supervision informed of his current address.
- M. Defendant will keep current payment of all assessment by the Board for prosecution, investigation and monitoring of his case.



- N. Until such time as all indebtedness to the Board has been satisfied, Defendant will reaffirm said indebtedness in any and all bankruptcy proceedings.
- O. Defendant shall make himself available for one or more personal appearances before the Board or its designee upon request.

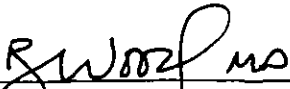
5. Promptly upon receipt of an invoice for such charges, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and investigation costs, and shall keep current all payments for monitoring her compliance with this agreement.

Dated this 24<sup>th</sup> day of September, 1998.

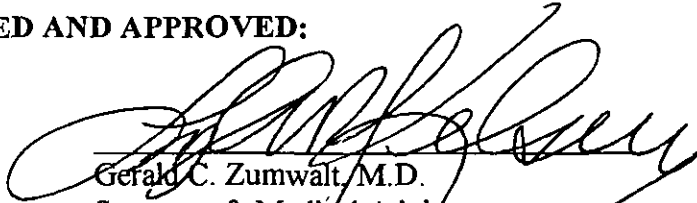


Eric E. Frische, President  
Oklahoma State Board of  
Medical Licensure and Supervision

**AGREED AND APPROVED:**



Bryan Scott Wood, M.D.  
License No. 18662



Gerald C. Zumwalt, M.D.  
Secretary & Medical Advisor  
Lyle Kelsey, Executive Director  
Oklahoma State Board of  
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