

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

**FILED**

JUL 11 2013

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

<b>STATE OF OKLAHOMA</b>	)	
<b>EX REL. THE OKLAHOMA BOARD</b>	)	
<b>OF MEDICAL LICENSURE</b>	)	
<b>AND SUPERVISION,</b>	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 13-05-4742</b>
	)	
<b>KELLEE YOUKHANA, M.D.</b>	)	
<b>LICENSE NO. MD19829,</b>	)	
<b>Defendant.</b>	)	

**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, Scott Randall Sullivan, Special Prosecutor, and for its Complaint against the Defendant, Kellee Youkhana, 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 Kellee Youkhana, M.D., holds Oklahoma license no.19829.
3. On May 16, 2013, Defendant submitted her licensure renewal information and informed the Board that she had been let go from the VA Medical Center for prescribing medications to a veteran who was not her patient.
4. Board Investigator SW was informed on May 20, 2013 by DEA Agent GL that he had interviewed Defendant at her residence at which time she admitted to writing CDS to her ex-husband, WG. Defendant stated she prescribed the Hydrocodone due to pain resulting from a large skin necrosis. Agent GL had previously verified that WG was in the VA drug treatment center. Upon questioning, Defendant stated WG had been diagnosed as having an addiction to Oxycodone and Ultram.
5. Defendant **admitted to writing 26 CDS** prescriptions to WG between March 2012 and March 2013 for a **total of 2,180 dosage units**. There are no known medical records to document the medical need for the CDS medication prescriptions.

6. Further, Defendant **admitted to writing two (2) Hydrocodone** prescriptions to CR, Defendant's sister's boyfriend.
7. On May 3, 2013, Defendant signed a Voluntary Surrender of her DEA Controlled Substances Privileges.
8. On May 21, 2013 Board Investigator SW sent an email to Defendant requesting she contact him. On the following day, May 22, 2013, Board Investigator SW received an email from Defendant stating she had tried to phone him the night before and that she was leaving to go out of town, but stated she would try to phone again. Since that time Board Investigator has sent three (3) additional emails to Defendant requesting she contact this investigator and has received no reply from Defendant. Further, on June 17 and June 19, 2013, Board Investigator SW attempted to locate Defendant at her Oklahoma City residence and was unable to reach her there.
9. It is Board Investigator SW's understanding that Defendant is currently living in the Las Vegas area and has enrolled in culinary school.
10. Defendant is guilty of unprofessional conduct in that she engaged in:
  - a) Dishonorable or immoral conduct which is likely to deceive, defraud, or harm the public in violation of Title 59 O.S. §509.8 *and* OAC Rule 435:1-7-4(11);
  - b) Failure to keep complete and accurate records of purchase and disposal of controlled drugs or of narcotic drugs in violation of Title 59 O.S. §509.10;
  - c) Prescribing or administering a drug or treatment without sufficient examination and the establishment of a valid physician-patient relationship in violation of Title 59 O.S. §509.12;
  - d) Failure 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 Title 59 O.S. §509.18;
  - e) Prescribing, dispensing or administering of 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 standard in violation of OAC Rule 435:10-7-4 (2);
  - f) Dispensing, prescribing or administering a Controlled substance or Narcotic drug without medical need in violation of OAC Rule 435:10-7-4 (6);
  - g) Except as otherwise permitted by law, 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

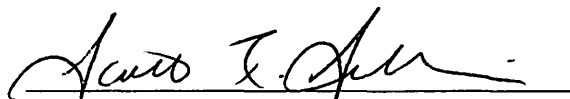
addictive or dangerous drug in violation of OAC Rule 435:10-7-4 (25); and

- h) Violating any state or federal law or regulation relating to controlled substances in violation of OAC Rule 435:10-7-4 (27).

### 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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Scott Randall Sullivan, OBA #11179  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION  
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Oklahoma City, OK 73105

Attorney for Plaintiff