

**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, )

JUL 17 2003

OKLAHOMA STATE BOARD ..  
MEDICAL LICENSURE & SUPERVISION

) **Plaintiff,** )

v. )

**Case No. 03-03-2626**

MARK LAWRENCE GLASGOW, M.D., )  
LICENSE NO. 20493 )

) **Defendant.** )

**FINAL ORDER OF SUSPENSION**

This cause came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the "Board") on July 17, 2003, at the office of the Board, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Elizabeth A. Scott, Assistant Attorney General, appeared for the plaintiff and defendant appeared not.

The Board *en banc* after hearing arguments of counsel, reviewing the exhibits admitted and the pleadings filed, and being fully advised in the premises, found that there is clear and convincing evidence to support the following Findings of Fact, Conclusions of Law and Orders:

***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. 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.

3. Defendant, Mark Lawrence Glasgow, M.D., holds Oklahoma medical license no. 20493

4. On or about November 4, 2002, Defendant filled out his Application for Renewal of Oklahoma Medical License. In response to the question "Since the last renewal ... [h] ave you been addicted to or abused any drug or chemical substance including alcohol," Defendant answered "NO".

5. On or about December 13, 2002, Defendant entered into an Agreed Order of Surrender with the Kentucky Board of Medical Licensure. Defendant's surrender of his Kentucky medical license was based upon his admission that beginning in April 2002, he began injecting Fentanyl intramuscularly, which abuse continued through November 2002. He obtained the Fentanyl by checking out amounts in excess of what was to be administered to his patients, and then personally taking the excess, along with Morphine in some instances. He injected the Fentanyl several times a day while working at Norton Hospital in Kentucky.

6. On or about March 11, 2003, the South Dakota State Medical Board revoked Defendant's license based upon his substance abuse.

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

A. Was subject to disciplinary action of another state or jurisdiction based upon acts or conduct by the licensee similar to acts or conduct that would constitute grounds for action as defined in this section pursuant to OAC 435:10-7-4(31).

B. Habitually uses habit-forming drugs in violation 59 O.S. 407 §509(5) and OAC 435:10-7-4(3).

C. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public in violation of 59 O.S. §509(9) and OAC 435:10-7-4(11).

D. 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(14) and OAC 435:10-7-4(39).

E. 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(16) and OAC 435:10-7-4(40).

F. Purchased or prescribed a regulated substance in Schedules I through V for the physician's personal use in violation of OAC 435:10-7-4(5).

G. Prescribed, sold, administered, distributed, ordered or gave a 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).

H. 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).

I. Prescribed, sold, administered, distributed, ordered or gave 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).

J. Confessed to a crime involving a violation of the anti-narcotic laws of the federal government or the laws of this state in violation of 59 O.S. §509(8).

K. Violated a state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).

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 standards in violation 59 O.S. §509(17) and OAC 435:10-7-4(2) and (6).

M. 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).

### *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 is guilty of unprofessional conduct in that he:

A Was subject to disciplinary action of another state or

jurisdiction based upon acts or conduct by the licensee similar to acts or conduct that would constitute grounds for action as defined in this section pursuant to OAC 435:10-7-4(31).

B. Habitually uses habit-forming drugs in violation 59 O.S. 407 §509(5) and OAC 435:10-7-4(3).

C. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public in violation of 59 O.S. §509(9) and OAC 435:10-7-4(11).

D. 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(14) and OAC 435:10-7-4(39).

E. 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(16) and OAC 435:10-7-4(40).

F. Purchased or prescribed a regulated substance in Schedules I through V for the physician's personal use in violation of OAC 435:10-7-4(5).

G. Prescribed, sold, administered, distributed, ordered or gave a 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).

H. 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).

I. Prescribed, sold, administered, distributed, ordered or gave 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).

J. Confessed to a crime involving a violation of the anti-narcotic laws of the federal government or the laws of this state in violation of 59 O.S. §509(8).

K. Violated a state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).

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 standards in violation 59 O.S. §509(17) and OAC 435:10-7-4(2) and (6).

M. 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).

### *Order*

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

1. The license of Defendant, Mark Lawrence Glasgow, M.D., Oklahoma license no. 20493, is hereby **SUSPENDED** beginning July 17, 2003 and continuing until Defendant submits documentation to the Board that his license to practice in the State of Kentucky has been reinstated, at which time Defendant will 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 Board. Any question of interpretation regarding the Act or this order 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 Board or its designee.

B. Defendant will furnish a copy of this order to each and every state in which he holds licensure or applies for licensure and to all hospitals, clinics or other facilities in which he holds or anticipates holding any form of staff privileges or employment.

C. Defendant will comply with all terms of any probation required by the Kentucky Board of Medical Licensure.

D. Defendant will notify the Board or its designee of any entry or re-entry into an inpatient rehabilitation, assessment, or evaluation program and shall provide to the Board or its designee

written authorization for any and all records associated with said treatment, assessment or evaluation. Defendant acknowledges and agrees that the Board may use such information against Defendant in any future disciplinary proceedings.

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 any physicians holding Defendant's records.

F. Defendant will not supervise allied health professionals for whom a formal supervisory arrangement is required under Oklahoma law, e.g., physician assistants or advanced registered nurse practitioners.

G. Defendant will submit for analysis biological fluid specimens including, but not limited to, blood and urine, upon request of the Board or its designee, and Defendant will pay for the costs attendant thereto.

H. Defendant will not prescribe, administer or dispense any medications for personal use.

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 this Board Order immediately upon initiation, or continuation of treatment.

J. Defendant will have the affirmative duty not to ingest any substance which will cause a body fluid sample to test positive for prohibited substances.

K. Defendant shall promptly notify the Board of any relapse, including any entry, or re-entry, into a treatment program for substance abuse.

L. Defendant shall promptly notify the Board of any citation or arrest for traffic or for criminal offenses involving substance abuse.

M. Upon request Defendant will request all hospitals, clinics and other facilities in which he practices to furnish to the Board a written statement monitoring his practice.

N. Defendant will keep the Board informed of his current address.

O. Defendant will keep current payment of all assessment by the Board for prosecution, investigation and monitoring of his case, including but not limited to a \$100.00 per month monitoring fee.

P. Until such time as all indebtedness to the Board has been satisfied, Defendant will reaffirm said indebtedness in any and all bankruptcy proceedings.

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

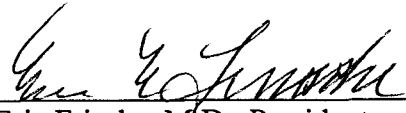
R. Defendant shall submit any required reports and forms on a timely basis to the Compliance Coordinator or designee.

S. Failure to meet any of the terms of your Board Order will constitute cause for the Board to initiate additional proceedings to suspend, revoke or modify your license after due notice and hearing.

2. 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.


3. Defendant's suspended license shall not be reinstated unless Defendant has reimbursed the Board for all taxed costs.

Dated this 17 day of July, 2003.

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

## CERTIFICATE OF SERVICE

I certify that on the 18 day of July, 2003, I mailed, via first class mail, postage prepaid, a true and correct copy of this Order of Suspension to Mark L. Glasgow, M.D., 5010 Bent Creek Drive, Floyds Knobs, IN 47119.

  
Janet Swindle  
Janet Swindle