



May 5, 2005, Defendant sought reinstatement of his Oklahoma medical license and the Board granted said reinstatement under terms of probation for a period of five (5) years.

#### **Allegations of Unprofessional Conduct/Anger Outbursts**

4. Between November, 2009 through February, 2012, Defendant had repeated incidents of unprofessional conduct at St. John's Medical Center ("St. Johns"), Tulsa, Oklahoma, wherein he would become agitated over issues relating to patient care and information technology wherein he would begin raising his voice and yelling, using profanity, making inappropriate derogatory comments to nursing staff, physicians, clerical staff, housekeeping, information technology department, operators and others.
5. Defendant was counseled and reprimanded numerous times by the St. John's administration for this unprofessional conduct demonstrated in his angry outbursts, use of profanity, lack of anger management and need for improved boundaries in communication at the hospital.
6. On or about March 8, 2012, St. John's administration had a meeting with Defendant to discuss an anger outburst that occurred in February when Defendant used excessive profanity while complaining to the security department about a parking ticket he received at St. Johns. Defendant was counseled and was ordered to attend a boundaries course.
7. On or about March 16, 2012, Defendant had another major anger outburst while on patient rounds, wherein Defendant was reported as having "lost it" and was observed yelling and using profanity to a dietician in the presence of a patient.
8. Following this outburst on or about March 16, 2012, Defendant was called into St. John's administration where Defendant was placed on leave, his hospital privileges were immediately suspended, and he was ordered not to see patients in the hospital until he took a boundaries course.
9. On or about March 19, 2012, St. John's had a telephone call with Defendant about his suspension. Subsequently, on or about April 5, 2012, St. John's sent a letter to Defendant advising him that St. John's was required to report his suspension to the National Practitioner Data Bank (NPDB) because he was under suspension from hospital privileges for more than thirty (30) days.

#### **Allegations of Fraudulent Application Submissions**

10. On or about May 30, 2012, Defendant submitted an online "Application for Renewal of Oklahoma License to OSBMLS wherein he answered "no" to the following questions:
  - a. Have you been denied or had removed or suspended hospital staff privileges?

- b. Have you been the subject of an investigation or disciplinary action, including probation, by a hospital, clinic, practice group, or residency program?
- c. Have you been reported to the National Practitioner Data Bank (NPDB) or to the Healthcare Integrity and Protection Data Bank (HIPDB)?

11. Defendant is guilty of unprofessional conduct in that he engaged in:

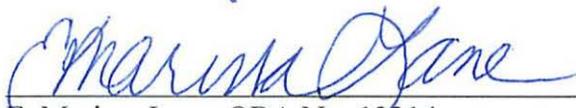
- a. Dishonorable or immoral conduct which is likely to deceive, defraud, or harm the public in violation of Title 59 O.S. §509.8;
- b. Fraud or misrepresentation in applying for or procuring a medical license or in connection with applying for or procuring periodic re-registration of a medical license in violation of Oklahoma Administrative Code Title 435:10-7-4.8;
- c. Conduct likely to deceive, defraud, or harm the public in violation of Oklahoma Administrative Code Title 435:10-7-4.11;
- d. The use of any false, fraudulent, or deceptive statement in any document connected with the practice of medicine and surgery in violation of Oklahoma Administrative Code Title 435:10-7-4.19; and
- e. Failure to report to the Board surrender of a license or other authorization to practice medicine and surgery in another state or jurisdiction, or surrender of membership on any medical staff or in any medical or professional association or society while under disciplinary investigation by any of those authorities or bodies for acts or conduct similar to acts or conduct that would constitute grounds for action as defined in this section in violation of Oklahoma Administrative Code Title 435:10-7-4.33.

### **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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