

Count One
Sexual Misconduct

4. Defendant engaged in a sexual relationship with a patient after the patient was discharged from a psychiatric hospital where Defendant was treating her in February of 1997.

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

- A. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public in violation of 59 Okla. Stat. § 509 (9) and OAC 435:10-7-4 (11).
- B. Engaged in physical conduct with a patient which is sexual in nature, or in any verbal behavior which is seductive or sexually demeaning to a patient in violation of 59 Okla. Stat. §509 (18).
- C. Committed an act of sexual abuse, misconduct or exploitation related or unrelated to the licensee's practice of medicine and surgery in violation of OAC 435:10-7-4 (23).

Count Two
Fraudulent or Forged Prescription

6. In August 1998, Defendant wrote this same woman a prescription for Xanax (C-IV) by forging the signature of Darla Brummell, M.D., Oklahoma license no. 20287.

7. Defendant has engaged in unprofessional conduct in that he:

- A. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public in violation of 59 Okla. Stat. § 509 (9) and OAC 435:10-7-4 (11).
- B. Committed an act which is a violation of the criminal laws of the state when such act is connected with the physician's practice of medicine in violation of 59 Okla. Stat. §509 (10).
- C. Wrote false or fictitious prescriptions for any drugs or narcotics declared by the laws of this State to be controlled or narcotic drugs in violation of 59 Okla. Stat. §509 (12).
- D. Indiscriminately or excessively prescribed, dispensed or administered controlled or narcotic drugs in violation of OAC 435:10-7-4 (1).

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

***Count Three
Fraudulent or Forged Prescriptions***

7. On or about July 1998, Defendant saw and treated another female patient. At that time, he consulted with his senior resident, Mathew Johnston, M.D., Oklahoma license number 20266, who wrote a Xanax (C-IV) prescription for the patient. Defendant subsequently forged Dr. Johnston's signature on a prescription for an additional 60 Xanax (C-IV) for this same patient.

8. About three (3) weeks later, Defendant met this same patient at a local fast food restaurant and again forged prescriptions for her. This time he wrote prescriptions for Xanax (C-IV) and Valium (C-IV) and forged the signature of one of the faculty physicians, John Tipton, M.D., Oklahoma medical license number 10115. At that time, Defendant advised her that she needed to find a physician to help her with her addiction and that he would not write additional prescriptions for her.

9. Defendant has engaged in unprofessional conduct in that he:

- A. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public in violation of 59 Okla. Stat. § 509 (9) and OAC 435:10-7-4 (11).
- B. Committed an act which is a violation of the criminal laws of the state when such act is connected with the physician's practice of medicine in violation of 59 Okla. Stat. §509 (10).
- C. Wrote false or fictitious prescriptions for any drugs or narcotics declared by the laws of this State to be controlled or narcotic drugs in violation of 59 Okla. Stat. §509 (12).
- D. Indiscriminately or excessively prescribed, dispensed or administered controlled or narcotic drugs in violation of OAC 435:10-7-4 (1).
- E. Used a 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).

