

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

**IN THE MATTER OF THE)
APPLICATION OF)
)**

FILED

FEB - 6 2003

**MARK EDWARD RIGNEY, M.D.)
)
)**

**OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION**

**FOR MODIFICATION OF)
AGREEMENT TERMS FOR)
LICENSE NO. 22078)**

**ORDER MODIFYING AGREEMENT
FOR LICENSURE**

This matter came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on January 16, 2003, at the Board office, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and rules of the Board.

Applicant, Mark Edward Rigney, M.D., holding Oklahoma medical license no. 22078, appeared in person without counsel, thereby waiving his right to legal representation.

The Board sitting *en banc* after hearing testimony, reviewing the request and other materials presented, and being fully apprised of the premises, made the following Findings of Fact, Conclusions of Law and Orders:

FINDINGS OF FACT

1. The Board *en banc* has jurisdiction over the subject matter herein, and notice has been given in all respects as required by law and the rules of the Board.

2. Dr. Rigney currently holds medical license no. 22078 under a Final Order Granting Full Medical License Under Terms of Agreement that commenced May 9, 2002. Under this order, Dr. Rigney is allowed to prescribe Schedule IV and V controlled dangerous substances on duplicate, serially numbered prescriptions.

3. On January 16, 2003, Dr. Rigney requested that the terms of his Agreement be modified to allow him to prescribe Schedule II controlled dangerous drugs.

4. Dr. Rigney presented sufficient evidence to support allowing him to prescribe Schedule III controlled dangerous substances, to both inpatients and outpatients, on duplicate,

serially numbered prescriptions. Dr. Rigney did not present sufficient evidence to support allowing him to prescribe Schedule II controlled dangerous substances at this time.

CONCLUSIONS OF LAW

1. The Board has jurisdiction to hear this matter pursuant to 59 O. S. § 480 *et seq.*
2. Dr. Rigney has presented satisfactory evidence to justify allowing him to prescribe Schedule III controlled dangerous substances, to both inpatients and outpatients, on duplicate, serially numbered prescriptions. Dr. Rigney did not present sufficient evidence to support allowing him to prescribe Schedule II controlled dangerous substances at this time.

ORDER

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


Dr. Rigney's application to modify the terms of his probation is **GRANTED** in part.

2. Dr. Rigney's Agreement shall continue under the terms and conditions set forth in the May 9, 2002 Final Order Granting Full Medical License Under Terms of Agreement with the exception that Dr. Rigney be allowed to prescribe Schedule III controlled dangerous substances, to both inpatients and outpatients, on duplicate, serially numbered prescriptions. Dr. Rigney shall not be allowed to prescribe Schedule II controlled dangerous substances at this time.

3. Failure to meet any of the terms of this Order will be grounds for the Board to initiate proceedings to suspend or revoke Dr. Rigney's medical license, after additional notice and hearing as required by law.

4. A copy of this written order should be sent to Dr. Rigney as soon as it is processed.

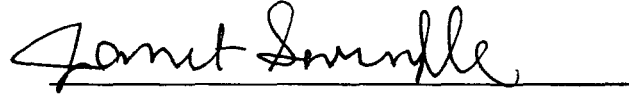
Dated this 6 day of ⁶²January, 2003.



Gerald C. Zumwalt, M.D., Secretary
Oklahoma State Board of Medical
Licensure and Supervision

Certificate of Service

On the 6 day of ³⁰~~January~~, 2003, a true and correct copy of this order was mailed, postage prepaid, to Mark E. Rigney, M.D., University of Oklahoma, Health Sciences Center, Enid Family Medicine Clinic, 620 S. Madison, Suite 304, Enid, OK 73701.

A handwritten signature in cursive script, reading "Janet Swindle", is written over a solid horizontal line.

Janet Swindle