

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,)

Plaintiff,)

v.)

MARK EDWARD RIGNEY, M.D.)
LICENSE NO. 22078)

Defendant.)

JUN 23 2006

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 06-01-3053

VOLUNTARY SURRENDER OF LICENSE
IN LIEU OF PROSECUTION

State of Oklahoma)

Oklahoma County)

I, Mark Edward Rigney, M.D., being of lawful age and after first being duly sworn, depose and state as follows:

1. I hereby voluntarily surrender my Oklahoma medical license no. 22078.
2. The surrender of my license is freely and voluntarily made. I have not been subject to any coercion or duress, and I am fully aware of the consequences of the surrender of my license.
3. I am the subject of an investigation before the Oklahoma State Board of Medical Licensure and Supervision involving allegations that if proven, would constitute grounds for disciplinary action by the Board.
4. The allegations to which I have plead guilty are as follows:
 - i. Defendant, Mark Edward Rigney, M.D., holds Oklahoma license no. 22078.

ii. On or about June 29, 2001, Defendant was granted a Special Training License Under Terms of Agreement based upon a history of substance abuse. On or about May 9, 2002, Defendant was granted a full license under the same terms of agreement.

iii. Defendant subsequently relapsed on numerous occasions resulting in the filing of a Complaint on or about January 26, 2006.

iv. On or about January 26, 2006, Defendant and the Board entered into a Voluntary Submittal to Jurisdiction whereby Defendant was suspended for a period of four (4) months beginning November 1, 2005 and continuing until March 1, 2006, to be followed by a five (5) year term of probation, which provides as follows:

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

L. Defendant will abide by the terms and recommendations of his postcare contracts with Rush and the Physicians' Recovery Program.

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

v. The provisions cited above have not been modified or deleted but remain in full force and effect as terms and conditions of Defendant's licensure under terms of probation.

vi. On or about June 17, 2006, Tom Sosbee, Compliance Officer for the Board, spoke with Defendant by telephone.

vii. During this telephone conversation, Defendant admitted that he had not reported to his work at Prague Hospital and was fired, and that he subsequently relapsed by consuming "Jim Beam" over several days prior to the telephone conversation with Mr. Sosbee. Defendant additionally advised Mr. Sosbee that he wished to surrender his medical license.

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

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

b. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public in violation of 59 O.S. §509(8) and OAC 435:10-7-4(11).

c. 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(13) and OAC 435:10-7-4(39).

d. 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(15) and OAC 435:10-7-4(40).

5. I hereby submit my wallet card and wall certificate as evidence of my intent to surrender my license.

6. I hereby agree that I will not apply for reinstatement of my Oklahoma medical license for a minimum of one year from the entry of the Order Accepting Voluntary Surrender in Lieu of Prosecution, and that if the Board ever reinstates my Oklahoma medical license, it will be under terms of probation to be set by the Board at the time of reinstatement.

7. As a condition to accepting my surrender of license in lieu of prosecution, I acknowledge that the Board may require me to pay all costs expended by the Board for any legal fees and costs, and any investigation, probation and monitoring fees, including but not limited to staff time, salary and travel expense, witness fees and attorney fees.

DATED this 20 day of June, 2006.



Mark Edward Rigney, M.D.

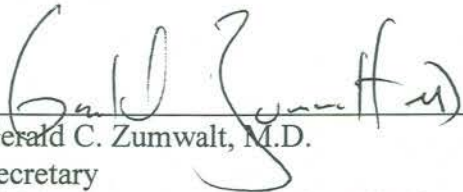
Subscribed and sworn before me this 20 day of June, 2006.




Notary Public

My commission expires on 8-22-06

ACCEPTED:


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

Date: 6-23-06

CERTIFICATE OF MAILING

I CERTIFY THAT ON THE 26TH DAY OF JUNE, 2006, I MAILED A TRUE AND CORRECT COPY OF THE VOLUNTARY SURRENDER OF LICENSE TO MARK EDWARD RIGNEY, 1801 S. HENSON CT. SHAWNEE, OK 74804.


JANET SWINDLE, SECRETARY