

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

STATE OF OKLAHOMA, *ex rel.* )  
OKLAHOMA STATE BOARD )  
OF MEDICAL LICENSURE )  
AND SUPERVISION, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
DARRYL DERMOT ROBINSON, M.D., )  
LICENSE NO. MD 22361, )  
 )  
Defendant. )

**FILED**

JAN 20 2022

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Case No. 21-05-5997

**ORDER ACCEPTING  
VOLUNTARY SUBMITTAL TO JURISDICTION**

The State of Oklahoma, *ex rel.* Oklahoma State Board of Medical Licensure and Supervision ("Board"), by and through the undersigned counsel for the Plaintiff, as represented by the Secretary of the Board, Billy H. Stout, M.D., and the Executive Director of the Board, Lyle Kelsey, along with Darryl Dermot Robinson M.D. ("Defendant"), Oklahoma medical license no. 22361, who appears in person, and through counsel Christopher L. Kannady (collectively, the "Parties"), and offer this Order Accepting Voluntary Submittal to Jurisdiction (herein, "Order" or "Agreement") for acceptance by the Board. Okla. Admin. Code § 435:5-1-5.1.

By voluntarily submitting to jurisdiction and entering into this Order, Defendant admits to the allegations herein contained and further acknowledges that a hearing before the Board could result in some sanction under the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act ("Act"). 59 O.S. § 480, *et seq.*

Defendant, Darryl Dermot Robinson M.D., states that he is of sound mind and is not under the influence of, or impaired by, any medication or drug and that he fully recognizes his right to appear before the Board for an evidentiary hearing on the allegations made against him. Defendant hereby voluntarily waives his right to a full hearing, submits to the jurisdiction of the Board and agrees to abide by the terms and conditions of this Order. Defendant acknowledges that he has read and understands the terms and conditions stated herein, and that this Agreement may be reviewed and discussed with him by legal counsel prior to execution.

If the Board does not accept this Order, the Parties stipulate that it shall be regarded as null and void. Admissions by Defendant herein, if any, shall not be regarded as evidence against him in a subsequent disciplinary hearing. Defendant will be free to defend himself and no inferences will be made from his willingness to have this Order accepted by the Board. The Parties stipulate

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that neither the presentation of this Order nor the Board's consideration of this Order shall be deemed to have unfairly or illegally prejudiced the Board or its individual members and, therefore, shall not be grounds for precluding the Board nor any individual Board member from further participation in proceedings related to the matters set forth herein.

**Findings of Fact**

The Plaintiff, Defendant, and the Board staff each stipulate and agree as follows:

1. In Oklahoma, Defendant holds medical license no. 22361. originally issued June 20, 2001.
2. On September 8, 2021, a Verified Complaint and Citation were each filed by the Board. Defendant was served on September 23, 2021 by licensed process server.
3. On April 21, 2021, a pharmacist at CVS in Oklahoma City filed a complaint online alleging that Defendant has repeatedly prescribed the Controlled Dangerous Substance ("CDS") Pregabalin (Lyrica) to his wife.
4. In the complaint, the pharmacist wrote that the doctor had been knowingly prescribing Pregabalin to his wife. It further went on to state that the wife came to the pharmacy to fill the prescription but was refused. She then stated that she would just have him send the prescription to another pharmacy. The pharmacist stated that this previous prescriptions from Defendant, for Pregabalin, were filled for Defendant's wife on two occasions.
5. The patient record for Defendant's wife was subpoenaed and received. In addition, the PMP was reviewed for both patient and prescriber. The PMP and medical records revealed that Defendant has written numerous prescriptions for CDS to his wife. He prescribed the following to his wife:

Drug	Written/Filled	Dose/Qty	Schedule
Pregabalin (Lyrica)	1-21-2019/1-21-2019	75mg/60	V
Pregabalin (Lyrica)	1-21-2019/2-19-2019	75mg/60	V
Pregabalin (Lyrica)	2-8-2021/2-8-2021	75mg/60	V
Pregabalin (Lyrica)	2-8-2021/3-16-2021	75mg/60	V
Fentanyl	12-13-2018/12-13-2018	100mcg/4	II
Ultram (Tramadol)	10-7-2016/10-7-2016	50mg/90	IV
Ultram (Tramadol)	9-10-2018/9-10-2018	50mg/12	IV
Testosterone Powder	9-15-2016/9-15-2016	100/ (90-day supply)	III

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Conclusions of Law

6. The Board has jurisdiction over the subject matter and is the duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physicians and surgeons in the State of Oklahoma. 59 O.S. § 480 *et seq.* and Okla. Admin. Code §§ 435:5-1-1 *et seq.*
7. Notice was provided as required by law and the rules of the Board. 75 O.S. § 309; 59 O.S. § 504; Okla. Admin. Code §§ 435:3-3-5, 435:3-3-6.
8. The Board is authorized to suspend, revoke or order any other appropriate conditions against the license of any physician or surgeon holding a license to practice medicine in the State of Oklahoma for unprofessional conduct. 59 O.S. §§ 503, 513(A)(1). The Board's action is authorized by 59 O.S. § 509.1.
9. The Board is authorized to accept voluntary submittals to jurisdiction mutually agreed to by parties to a disciplinary action to resolve the action without need for a hearing. 75 O.S. § 309(E); Okla. Admin. Code § 435:5-1-5.1.
10. Based on the foregoing, Defendant is guilty of unprofessional conduct as follows:
11. Prescribing, selling, administering, distributing, ordering, or giving any drug legally classified as a controlled substance or recognized as an addictive dangerous drug to a family member or to himself or herself. Provided that this paragraph shall not apply to family members outside the second degree of consanguinity or affinity. Provided further that this paragraph shall not apply to medical emergencies when no other doctor is available to respond to the emergency in violation of OAC 435:10-7-4(26):
12. Violating any state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27) [specifically violating OAC 475:30-1-3 which states in part.... "A practitioner may not distribute, dispense, sell, give, prescribe or administer any controlled substances in Schedule I through V for the practitioner's personal use or family member."]

Orders

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

1. The Board hereby adopts the Agreement of the Parties in this Order Accepting Voluntary Submittal to Jurisdiction, including the findings of fact and conclusions of law stated herein.

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Order Accepting Voluntary Submittal to Jurisdiction; 21-05-5997  
Darryl Dermot Robinson, MD 22361


2. **DARRYL DERMOT ROBINSON M.D.**, Oklahoma medical license no. 22361, is formally **REPRIMANDED**.
3. **DARRYL DERMOT ROBINSON M.D.**, is fined \$25,000 to be paid within one year of this Order.
4. **DARRYL DERMOT ROBINSON, M.D.** shall comply with all of the following terms and conditions:

**Standard Terms:**

- a. Defendant shall conduct his practice in compliance with the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act ("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 authorized designee. 59 O.S. § 480, *et seq.*
- b. Defendant shall furnish a file-stamped copy of this Order stipulating sanctions imposed by the Board, 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 keep the Board informed of his current address.
- d. Until such time as all indebtedness to the Board has been satisfied, Defendant will reaffirm said indebtedness in any and all bankruptcy proceedings.
- e. Defendant shall not prescribe, administer or dispense any medications for personal use, or for that of any family members, friends, employees or associates unless they have previously formed a bonafide and legitimated doctor-patient relationship and maintain an appropriate medical chart for each patient.
- f. Upon request, Defendant shall make himself available for one or more personal appearances before the Board or its authorized designee.
- g. Defendant shall submit any required reports and forms on a timely and prompt basis to the Compliance Coordinator or authorized designee.
- h. Failure to meet any of the terms of this Order will constitute cause for the Board to initiate additional proceedings to suspend, revoke or modify Defendant's license after due notice and hearing. Immediately upon learning that a licensee is in violation of this Order, the Executive Director of the Board may summarily suspend the license based on imminent harm to the public and assign a hearing date for the matter to be presented at the next scheduled Board meeting.


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Darryl Dermot Robinson, MD 22361

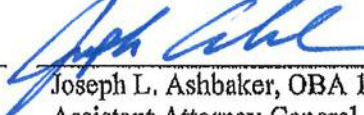
- i. The Parties, the Board or its designee, or the Defendant may file a motion for a Board hearing and possible new Board order.
- 5. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees, investigation costs, staff time, salary and travel expenses, witness fees and attorney's fees.
- 6. A copy of this Order shall be provided to Defendant as soon as it is processed.

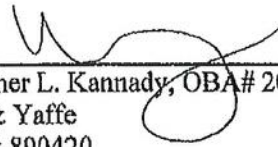
Dated this 26<sup>th</sup> day of January, 2021.

  
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 Billy H. Stout, M.D., Board Secretary  
 OKLAHOMA STATE BOARD OF MEDICAL  
 LICENSURE AND SUPERVISION

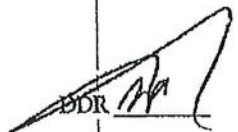
  
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 Louis Cox, M.D., President  
 OKLAHOMA STATE BOARD OF MEDICAL  
 LICENSURE AND SUPERVISION

  
 \_\_\_\_\_  
 Darryl Dermot Robinson M.D.  
 License MD 22361  
**Defendant**

  
 \_\_\_\_\_  
 Joseph L. Ashbaker, OBA 19395  
 Assistant Attorney General  
 STATE OF OKLAHOMA,  
 OFFICE OF ATTORNEY GENERAL  
**Attorney for Plaintiff,  
 Oklahoma State Board of Medical  
 Licensure and Supervision**

  
 \_\_\_\_\_  
 Christopher L. Kannady, OBA# 20513  
 Foshee & Yaffe  
 P.O. Box 890420  
 Oklahoma City, OK 73189  
**Attorney for Defendant**

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ACKNOWLEDGMENT

STATE OF OKLAHOMA )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by Darryl Dermot Robinson.

\_\_\_\_\_  
Notary Public  
Commission Expiration: \_\_\_\_\_

Certificate of Service


This is to certify that on the 21<sup>st</sup> day of January, 2022, a true and correct copy of this Order was transmitted as indicated, postage prepaid, to the following:

U.S. Certified Mail  
Darryl Dermot Robinson M.D.  
3110 SW 89<sup>th</sup> #102  
Oklahoma City, OK 73159  
*Defendant*

E-Mail  
Joseph L. Ashbaker  
Assistant Attorney General  
STATE OF OK, OFFICE OF ATTORNEY GENERAL  
313 N.E. 21<sup>st</sup> Street  
Oklahoma City, Oklahoma 73105  
Joe.ashbaker@oag.ok.gov  
*Attorney for Plaintiff,*  
*Oklahoma State Board of Medical*  
*Licensure and Supervision*

U.S. First Class Mail, and E-Mail  
Christopher L. Kannady, OBA# 20513  
Foshee & Yaffe  
P.O. Box 890420  
Oklahoma City, OK 73189  
clk@fylaw.com  
*Attorney for Defendant,*  
*Darryl Dermot Robinson M.D.*

  
\_\_\_\_\_  
Nancy Thiemann, Legal Assistant

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