

**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.

JEFFREY DENTON FLOYD, M.D.,
LICENSE NO. MD 23229,

Defendant.

FILED

JUN 24 2021

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 20-12-5949

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 Jeffrey Denton Floyd, M.D. ("Defendant"), Oklahoma medical license no. 23229, who appears in person, and through counsel Randall L. Sewell of Wiggins Sewell & Ogletree (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, Jeffrey Denton Floyd, 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

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will be made from his willingness to have this Order accepted by the Board. The Parties stipulate 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. 23229, originally issued January 1, 2003.
2. On April 8, 2021, a Verified Complaint and Citation were each filed by the Board. Hearing was set for September 10, 2020. Defendant was served on April 9, 2021, and an Affidavit of Service is filed by private process server.
3. On or about December 2, 2020, Defendant self-reported action taken by the Oklahoma Bureau of Narcotics and Dangerous Drugs ("OBNDD") for one pre-signed blank prescription discovered by pharmacist on March 13, 2019. In July of 2019, OBNDD fined the doctor \$2000.
4. In the OBNDD case, the parties entered a Stipulation and Agreed Order, with the following stipulated Findings of Fact:
 7. That Dr. Jeffrey Floyd (hereinafter – *Respondent*) is licensed by the Oklahoma State Board of Medical Licensure and Supervision (license number 23229).
 8. That Respondent is an OBN registrant (OBN registration number 30613), authorized to dispense, prescribe, administer or use for scientific purposes controlled dangerous substances in Schedules II through V of the UCDSA.
 9. That based on an OBN investigation, on March 13, 2019, Respondent failed to maintain effective controls against the diversion of controlled dangerous substances when he inadvertently provided one (1) pre-signed blank prescription to a patient.
 10. That although there was a failure to maintain effective controls, no controlled dangerous substances were diverted due to the pre-signed prescription and OBN has determined this is not a systemic issue in Dr. Floyd's practice.
5. An Answer of Defendant Jeffrey Denton Floyd, M.D., was filed April 28, 2021, by Randall L. Sewell of Wiggins Sewell & Ogletree, as counsel for Defendant.

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Conclusions of Law

6. The Board has jurisdiction over the subject matter and is a 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 the following:
 - a. Violating any state or federal law or regulation relating to controlled substances. Okla. Admin. Code § 435:10-7-4(27).

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.
2. **JEFFREY DENTON FLOYD, M.D.**, Oklahoma medical license no. 23229, is formally **REPRIMANDED**.
3. **JEFFREY DENTON FLOYD, M.D.** is **FINED** two thousand (\$2,000) dollars, due within sixty (60) days from the filing of this Order. 59 O.S. § 509.1(A)(9) and Okla. Admin. Code §435:5-1-4.1.
4. **JEFFREY DENTON FLOYD, 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

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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 will keep the Board informed of his current address.
 - c. Until such time as all indebtedness to the Board has been satisfied, Defendant will reaffirm said indebtedness in any bankruptcy proceeding.
 - d. Upon request, Defendant shall make himself available for one or more personal appearances before the Board or its authorized designee.
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.

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Certificate of Service

This is to certify that on the 25th day of June, 2021, a true and correct copy of this Order was transmitted as indicated, postage prepaid, to the following:

U.S. Certified Mail

Jeffrey Denton Floyd, M.D.
2221 E. Memorial Road
Edmond, Oklahoma 73013

Defendant

U.S. First Class Mail

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***Attorney for Defendant,
Jeffrey Denton Floyd, M.D.***

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***Attorney for Plaintiff,
Oklahoma State Board of Medical
Licensure and Supervision***



Nancy Thiemann, Legal Assistant

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