

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

STATE OF OKLAHOMA, *ex rel.*,)
THE OKLAHOMA STATE BOARD)
OF MEDICAL LICENSURE AND)
SUPERVISION,)
)
Plaintiff,)
)
vs.)
)
JUSTIN GRAHAM DOCKENDORF, M.D.,)
LICENSE NO. MD 23662,)
)
Defendant.)

FILED

SEP 15 2022

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 21-09-6049

**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 Justin Graham Dockendorf, M.D. ("Defendant"), Oklahoma medical license no. 23662, who appears in person, and through counsel, Neel K. Natarajan (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 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, Justin Graham Dockendorf, 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, admits to certain allegations below, submits to the jurisdiction of the Board, and agrees to abide by the terms and conditions of this Order. Defendant acknowledges that

JGD 



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 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 and Recognition of Allegations

The Plaintiff, Defendant, and the Board staff each stipulate that the Plaintiff has made the following allegations against Defendant:

1. In Oklahoma, Defendant holds medical license no. 23662.
2. On or about September 15, 2021, a complaint was filed online on behalf of patient C.I. The complaint alleged Defendant is friends with the patient. The complaint goes on to allege Defendant prescribed medications without any medical documents being kept on the patient. Complainant then stated that the patient has been on Xanax and is abusing Lortab and Xanax, despite CI signing an Opiate/Pain Management Agreement with Defendant. Complainant alleged patient C.I. has been falling asleep or not sleeping, slurring, forgetting, and has been very agitated and irritable.
3. Six (6) patient records are subpoenaed, including patient C.I. There are numerous problems with the care and record keeping provided by Defendant. Records kept by Defendant are overly sparse and lack information of vital signs, examination, and assessment/plan of treatment and adequate justification for treatment and prescriptions given. Further, Defendant simultaneously prescribes full opioid agonist in concert with Buprenorphine.
4. The records were sent for review, a report of which was subsequently provided to the Board Staff, which supports the Board's allegations.
5. None of the care, treatment, or documentation at issue relates to Defendant's emergency medicine practice.
6. The Board alleges unprofessional conduct as follows:
 - a. Failure to maintain and/or improper management of an office record for each patient which accurately reflects the evaluation, treatment, and medical necessity

JGD 

of treatment of the patient in violation of Title 59 § 509(18) and OAC 435-7-4(36),

- b. Prescribing, dispensing or administering of controlled substances or narcotic drugs in excess of the amount considered good medical practice, in accordance with published standards in violation of Title 59 § 509(16)(a).
7. Dr. Dockendorf denies any wrongdoing and makes no admission of conduct below the standard of care.

Conclusions of Law

8. The Board has jurisdiction over the subject matter and is a duly authorized agency of the State of Oklahoma empowered to license and oversee activities of physicians and surgeons in Oklahoma. 59 O.S. § 480 *et seq.* and Okla. Admin. Code §§ 435:5-1-1 *et seq.*
9. 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.
10. 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.
11. 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.

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. Defendant is hereby **REPRIMANDED**.
3. Defendant is fined \$5,000, to be paid within 120 days of this Order.

JGD



- 07/27/2024 09:13:13 FAX 703/713/30 DOCUMENT# 0000 00 10 00000000
4. Defendant may continue to prescribe Controlled Dangerous Substances (opioids, Sedative-hypnotics, stimulants) of up to a thirty (30) day prescription with indicated referral to appropriate medical specialist(s). This does not and is not intended to limit Defendant's licensure. This restriction does not prohibit or limit Defendant from:
 - a. writing lawful prescriptions typically provided by other practitioners in the same specialty as Defendant, being emergency medicine.
 - b. providing examinations, diagnoses, or procedures without a second person present or approving the procedure,
 - c. engaging in the solo practice of medicine, or
 - d. performing a service or procedure typically provided by other practitioners in the same specialty as Defendant, being emergency medicine.

 5. This restriction does not limit, restrict, suspend, or involuntarily terminate:
 - a. Any staff hospital privileges of Defendant, nor
 - b. The maximum number of hours Defendant is permitted to practice.

 6. It is further ordered that Defendant may continue an Addiction Medicine Practice, including Medication Assisted Treatment (MAT)/Opioid Assisted Treatment (OAT), only under the following conditions:
 - a. Prior to resuming an Addiction Medicine Practice (MAT/OAT) Defendant shall complete one of the following ASAM approved patient courses which course shall be pre-approved by the Secretary of the Board.:
 - i The State of the Art Course in Addiction Medicine, or
 - ii The Review Course in Addiction Medicine.

 - b. Defendant shall engage a Preceptor qualified in Addiction Medicine prior to resuming an Addiction Medicine Practice. The identity and scope of review of the Preceptor shall be pre-approved by the Secretary of the Board. The Preceptor shall review the Addiction Medicine Practice of Defendant and provide monthly reports to the Board Secretary. The Preceptor Agreement shall be reviewed after one year.

 - c. This shall not require Defendant to obtain a second opinion from another practitioner prior to diagnosing or treating a patient; rather the cooperation between Defendant and the Preceptor is meant for educational purposes only.

JGD



- d. The engagement between the Preceptor and Defendant shall be reviewed after one year from the effective date of this Order by the Board Secretary to consider possible modifications.
- e. The Defendant shall be responsible for any costs of mentoring by the Preceptor.
- f. Defendant shall agree to a random review of up to five (5) patient charts each month by the Board Secretary.

7. Defendant shall abide by the following **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 Agreement 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.
- b. Defendant shall furnish a file-stamped copy of this Agreement stipulating terms 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 shall keep the Board informed of his current address. Okla. Admin. Code 435:10-7-7
- d. Defendant shall obey all state, federal, and local laws governing the practice of medicine in the State of Oklahoma. Defendant shall immediately notify the Board or its designee of any arrest or charge filed against him.
- e. Upon request, Defendant shall make himself available to the Board Secretary or Compliance Coordinator for personal visits and for personal appearances before the Board or its designee.
- f. Defendant shall submit any required reports and forms on a timely, accurate, and prompt basis to the Compliance Coordinator or designee.
- g. Until such time as all indebtedness to the Board has been satisfied, Defendant will reaffirm said indebtedness in any bankruptcy proceeding.
- h. Any violation of the terms, conditions, requirements, guidance, or recommendations of this Agreement shall constitute admissible evidence at any subsequent hearing before the Board of unprofessional or dishonorable conduct, which may result in disciplinary action, including suspension or revocation.

JGD

8. 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.
9. A copy of this Order shall be provided to Defendant as soon as it is processed.

Dated this 15th SEPTEMBER day of ~~July~~, 2022.



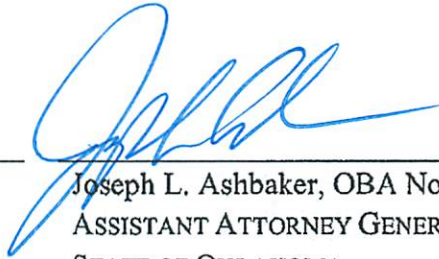
Billy H. Stout, M.D., Board Secretary
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION



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



Justin Graham Dockendorf, M.D.
Defendant



Joseph L. Ashbaker, OBA No. 19395
ASSISTANT ATTORNEY GENERAL
STATE OF OKLAHOMA
OFFICE OF ATTORNEY GENERAL
Attorney for Plaintiff,
Oklahoma State Board of Medical
Licensure and Supervision



Neel K. Natarajan, OBA No. 21762
WALTERS, STANLEY & NATARAJAN, L.L.P.
Attorney for Defendant,
Justin Graham Dockendorf, M.D.

ACKNOWLEDGMENT

STATE OF OKLAHOMA)
) ss.
COUNTY OF OKLAHOMA)

JGD 

This instrument was acknowledged before me on the 15 day of ^{September}~~July~~, 2022, by Justin G. Dockendorf, M.D. ___.



Lisa K. Cullen
Notary Public
Commission Expiration: 08/09/2024
Commission Expiration: _____

Certificate of Service

This is to certify that on the 16th day of ^{September}~~July~~, 2022, a true and correct copy of this Order Accepting Voluntary Submittal to Jurisdiction was transmitted as indicated, postage prepaid, to the following:

U.S. Certified Mail

Justin Dockendorf, M.D. 23662
1725 Signal Ridge Dr.
Suite #130
Edmond, Oklahoma 73013
Defendant

E-Mail

Joseph Ashbaker, AAG OBA No. 19395
State of Oklahoma
Office of Attorney General
313 N.E. 21st Street
Oklahoma City, Oklahoma 73105
(405) 522-2974
(405) 521-6246 facsimile
joe.ashbaker@oag.ok.gov
**Attorney for Plaintiff,
Oklahoma State Board of Medical
Licensure and Supervision**

U.S. First Class Mail, and E-Mail

Neel K. Natarajan, OBA No. 21762
Walters, Stanley & Natarajan, L.L.P.
1017 NW 6th Street
Oklahoma City, OK 73106
(405) 235-3800
(405) 235-5800 Facsimile
nnatarajan@medicaldefense.law
**Attorney for Defendant,
Justin G. Dockendorf, M.D.**

Shelley Crowder
Shelley Crowder

JGD [Signature] [Signature]