

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.

ANTHONY HECTOR RAMIREZ, M.D.,  
LICENSE NO. 24382,

Defendant.

JUL 28 2006

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Case No. 06-04-3096

COMPLAINT

COMES NOW the Plaintiff, the State of Oklahoma ex rel. the Oklahoma State Board of Medical Licensure and Supervision (the "Board"), by and through its attorney, Elizabeth A. Scott, Assistant Attorney General, and for its Complaint against the Defendant, Anthony Hector Ramirez, M.D., alleges and states as follows:

1. The Board 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 pursuant to 59 Okla. Stat. §480 *et seq.*

2. Defendant, Anthony Hector Ramirez, M.D., holds Oklahoma license no. 24382 and was a resident in the Department of Anesthesiology at the University of Oklahoma Health Sciences Center at the time of the events in question.

3. Defendant attended medical school in Tennessee from 1997 until 2002. He then began an anesthesiology residency at the University of Tennessee in 2003, which continued until March 2005, at which time the residency program was discontinued. Defendant admits that he smoked marijuana on a daily basis during medical school and during his residency in Tennessee, and that he illegally obtained and used Xanax during this time. Defendant also admits that in or around February 2005, during his residency in Tennessee, he began diverting Versed from the hospital where he worked. Defendant admits that he reported that he wasted excess Versed when in fact he kept it for his personal use.

4. In April 2005, Defendant entered an anesthesiology residency at the University of Oklahoma Health Sciences Center. Defendant admits that he continued to divert Versed by taking it from the hospital and injecting it. Defendant additionally continued to use marijuana.

5. On or about August 16, 2005, Defendant diverted Versed and injected himself. He then proceeded to deliver anesthesia and fell asleep during the procedure. He submitted to a drug test, which subsequently tested positive for Versed.

6. On or about September 26, 2005, Defendant went to Talbott Recovery Campus for treatment for substance abuse. At the time of his admission, he tested positive for marijuana. Defendant remained in treatment until December 23, 2005, at which time he was discharged.

7. Upon returning from Talbott, Defendant continued in the anesthesiology residency program at the University of Oklahoma.

8. On or about April 21, 2006, Board staff was notified by Jane C. K. Fitch, M.D., Chairman of the anesthesiology residency program, that Defendant had been terminated for "unethical conduct", in that Defendant had falsified documents relating to the ACGME competency evaluations intended for completion by patients and faculty members. Specifically, Defendant filled out six (6) Patient Satisfaction Surveys to be filled out by the patients, and he filled out a Competency Evaluation which was to be filled out by Jose E. Santoro, M.D.

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

A. Is habitually intemperate or habitually uses habit-forming drugs in violation 59 O.S. §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).

E. Confessed to a crime involving violation of the antinarcotics laws and regulation of the federal government or the laws of this state in violation of 59 O.S. §509(7).

F. Committed any act which is a violation of the criminal laws of any state when such act is connected with the physician's practice of medicine in violation of 59 O.S. §509(9).

G. Purchased or prescribed any regulated substance in Schedule I through V, as defined by the Uniform Controlled Dangerous Substances Act, for the physician's personal use in violation of OAC 435:10-7-4(5).

H. Dispensed, prescribed or administered a Controlled substance or Narcotic drug without medical need in violation of 59 O.S. §509(16) and OAC 435:10-7-4 (2) and (6).

I. Failed to keep complete and accurate records of the purchase and disposal of controlled drugs or narcotic drugs in violation of 59 O.S. §509(10).

J. Prescribed, sold, administered, distributed, ordered, or gave any drug legally classified as a controlled substance or recognized as an addictive or dangerous drug to a family member or to himself in violation of OAC 435:10-7-4(26).

K. Violating any state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).

L. Used any false, fraudulent or deceptive statement in any document connected with the practice of medicine and surgery in violation of OAC 435:10-7-4(19).

*Conclusion*

WHEREFORE, the Plaintiff respectfully requests that the Board conduct a hearing, and, upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation and any other appropriate action with respect to Defendant's medical license, and an assessment of costs and attorney's fees incurred in this action as provided by law.

Respectfully submitted,



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