

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

DEC - 5 2008

STATE OF OKLAHOMA)
EX REL. THE OKLAHOMA BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff,)

v.)

Case No. 08-09-3581

MARY JANICE YOUNG, M.D.,)
LICENSE NO. 25269,)

Defendant.)

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, Mary Janice Young, 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, Mary Janice Young, M.D., holds Oklahoma license no. 25269 and practiced as a psychiatrist at the University of Oklahoma Department of Psychiatry.

3. Beginning September 12, 1991 and continuing until December 1992, Defendant held an Oklahoma medical training license to practice medicine while in her Family Practice Residency Program at the University of Oklahoma Health Sciences Center.

4. Beginning July 1994 and continuing until January 1996, Defendant continued her training in the Family Practice Residency Program at the University of Texas at Conroe, Texas.

5. Defendant did not practice medicine from January 1996 until July 2007.

6. On or about July 1, 2007, Defendant was granted an Oklahoma medical training license to continue her training in the Psychiatry Residency Program at the University of

Oklahoma Health Sciences Center. While Defendant had a history of substance abuse, the Board granted her an unrestricted training license since she had signed a monitoring contract with the Oklahoma Health Professionals Recovery Program (the "HPRP").

7. On or about May 21, 2008, Defendant was granted a full Oklahoma medical license. At that time, Defendant remained under a monitoring contract with the HPRP due to a history of substance abuse.

8. On or about September 17, 2008, Defendant admitted to the HPRP that she had been drinking alcohol.

9. On or about September 29, 2008, Defendant provided a urine specimen at the request of the HPRP. The urine subsequently tested positive for alcohol. Records from the Oklahoma Health Sciences Center reflect that Defendant treated at least one (1) patient approximately one and one-half hours after her positive drug test.

10. On October 15, 2008, Defendant provided a urine specimen at the request of the HPRP. The urine specimen subsequently tested positive for alcohol. Records from the Oklahoma Health Sciences Center reflect that Defendant made patient rounds for several hours before this positive drug test and that she additionally treated patients after this positive drug test.

11. On or about October 20, 2008, Board Investigator Steve Washbourne contacted Defendant regarding her positive drug tests. Defendant admitted to Mr. Washbourne that she had been drinking alcohol. When asked if she had treated any patients on September 29, 2008, the day of her first positive drug test for alcohol, Defendant advised Mr. Washbourne that she was not working on that date.

12. On or about November 10, 2008, Defendant entered the Professional Renewal Center (the "PRC") for treatment for her substance abuse. However, on both November 10, 2008 and November 11, 2008, Defendant remained secluded in her hotel room and refused to answer her phone or emails. Representatives from the PRC made three (3) trips to her room to check on her condition, but she refused to answer the door.

13. On November 12, 2008, Defendant returned to the PRC for treatment. She initially denied relapsing, but then admitted that she had been drinking alcohol excessively.

14. Based upon her relapse while at treatment, PRC discharged her on November 14, 2008 based upon her written agreement to be admitted to St. Anthony Hospital in Oklahoma City, Oklahoma for detox. Defendant agreed that she would begin detox at St. Anthony no later than November 15, 2008.

15. On November 24, 2008, Investigator Washbourne confirmed that Defendant had not entered the St. Anthony detox program at that time as required by the PRC.

16. On December 2, 2008, Investigator Washbourne confirmed that Defendant had refused to submit to a drug test by the HPRP on December 1, 2008 as required by her contract with the program.

17. Defendant is guilty of unprofessional conduct in that she:

A. 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. Is physically or mentally unable to practice medicine and surgery with reasonable skill and safety in violation of OAC 435:10-7-4(17).

F. Has engaged in practice or other behavior that demonstrates an incapacity or incompetence to practice medicine and surgery in violation of OAC 435:10-7-4(18).

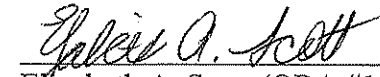
G. Has failed to furnish the Board, its investigators or representatives, information lawfully requested by the Board in violation of OAC 435:10-7-4(37).

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.

Dated this 31 day of December, 2008.

Respectfully submitted,



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