

**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.** )  
)  
**JEFFREY COLE HAGGARD, M.D.,** )  
**LICENSE NO. MD 25331,** )  
)  
**Defendant.** )

**FILED**

**JAN 07 2022**

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

**Case No. 21-10-6056**

**VERIFIED COMPLAINT**

The State of Oklahoma, *ex rel.*, the Oklahoma State Board of Medical Licensure and Supervision (“Board”), alleges and states as follows for its Complaint against Jeffrey Cole Haggard, M.D. (“Defendant”):

**I. JURISDICTION**

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, Jeffrey Cole Haggard, M.D., holds Oklahoma medical license number 25331. The acts and omissions complained of herein were made while Defendant was acting as a physician pursuant to the medical license conferred upon him by the State of Oklahoma, and such acts and omissions occurred within the physical territory of the State of Oklahoma.

**II. ALLEGATIONS OF UNPROFESSIONAL CONDUCT**

3. Defendant self-reported on his October, 2021 renewal that he had been arrested for DUI six months earlier.
4. According to McClain County’s court case CF-2021-205 Information sheet, Defendant was arrested on or about April 23, 2021 at approximately 6:49pm for causing an accident on I-35 while he was operating a vehicle while intoxicated. The 62 yr old female victim suffered serious facial fractures, a broken eye socket and damage to her eye and forehead. Defendant was charged with Felony DUI with BAC of .08 or More – Great Bodily Injury and for Misdemeanor Transporting Opened Container. The information sheet, the opened

container was an opened bottle of Smirnoff Vodka with approximately 25% of its contents missing.

5. According to the Probable Cause Affidavit, Defendant was extricated from the driver's seat of his overturned vehicle. Four witnesses advised officers that Defendant was driving at a high rate of speed and was all over the wet roadway, swerving aggressively prior to striking a vehicle and the guardrail, then rolling his vehicle. Furthermore, an object was set in motion by his vehicle and impaled an occupant of another vehicle, causing severe injury. In addition to the vodka bottle, a large quantity of empty cans and boxes of White Claw hard seltzer were strewn all over the inside of his vehicle and spilled out onto the ground. Defendant exhibited a strong odor of alcohol with extremely slow slurred speech. Defendant denied being intoxicated when asked by the state trooper, stating he had a hard seltzer earlier in the morning. When Defendant began to fall during the field sobriety test, he told the trooper he had vertigo and was dizzy. Defendant refused medical treatment and did not want to be transported to the hospital. Defendant was placed under arrest and read his Miranda rights at which time he requested an attorney. Defendant then refused the state's Blood Alcohol Concentration ("BAC") test and was transported to Purcell Hospital for medical clearance. The Trooper had to obtain a warrant for Defendant's blood due to the collision. Blood was drawn at 9:50pm and Defendant was then transported to county jail. OSBI reported the BAC results as 0.175. The court ordered him to participate in their Pre-Trial Release program but granted early release on September 16, 2021. The next court date is scheduled for March 29, 2022.
6. On November 3, 2021, Board investigator Robbin Roberts, met with Defendant and his attorney. Defendant was cooperative but minimized the event. Defendant said he had been in Yukon and was headed back home to Dallas when he hit a water puddle and hydroplaned which caused the wreck. Defendant thinks his side mirror may have been what hit the victim. He claimed he had 2 beers earlier in the day and thought his BAC was .125. Investigator Roberts advised him it was .175.
7. Defendant signed a Letter of Engagement with OHPP on October 20, 2021 which obligated him to schedule an assessment at a Board approved facility within 30 days. On December 2, 2021, Investigator Roberts received a letter from OHPP stating Dr. Haggard has not complied with his agreement and is noncompliant.
8. According to the PMP in Michigan dated January 18, 2019 – December 31, 2019 and prescription/pharmacy records, Defendant prescribed CDS to his wife on 5 occasions.
9. In addition, Defendant's patient PMP dated November 11, 2015 through November 11, 2021, shows a history of regular CDS use, including benzodiazepines, stimulants and sedatives (Xanax, Ambien, Provigil, Clonazepam) and testosterone prescribed by Defendant's friend, Dr. J.L. Defendant also prescribed CDS (Adderall and Ambien) to Dr. J.L. on at least 34 occasions. Investigator Roberts mailed Defendant a subpoena on March 9, 2020 for patient Dr. J. L.'s medical record. On April 21, 2020, Defendant provided a 16 page handwritten record that contained dates with very minimal notes regarding his prescribing of CDS to J.L. M.D. That patient record was sent to expert reviewer Richard Brittingham, MD, who concluded that Defendant failed to ensure a

proper medical record as required to meet the minimum standards set forth the by the Federation of State Medical Boards.

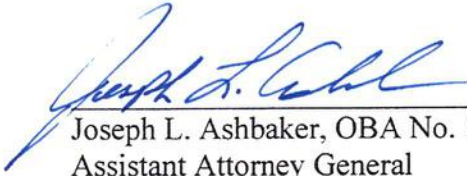
### **III. VIOLATIONS**

10. Based on the foregoing, the Defendant is guilty of unprofessional conduct as follows:
- a. Habitual intemperance or the habitual use of habit-forming drugs in violation of Title 59 § 509(4):
  - b. Dishonorable or immoral conduct which is likely to deceive, defraud, or harm the public in violation of Title 59 § 509(8):
  - c. Failure to maintain an office record for each patient which accurately reflects the evaluation, treatment, and medical necessity of treatment of the patient in violation of Title 59 § 509(18):
  - d. Failure to provide a proper and safe medical facility setting and qualified assistive personnel for a recognized medical act, including but not limited to an initial in-person patient examination, office surgery, diagnostic service or any other medical procedure or treatment. Adequate medical records to support diagnosis, procedure, treatment or prescribed medications must be produced and maintained in violation of Title 59 § 509(20):
  - e. Conduct likely to deceive, defraud, or harm the public in violation of OAC 435:10-7-4(11):
  - f. 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 medical doctor is available to respond to the emergency public in violation of OAC 435:10-7-4(26):
  - g. Violating any state or federal law or regulation relating to controlled substances public in violation of OAC 435:10-7-4(27):
  - h. Failure to provide a proper setting and assistive personnel for medical act, including but not limited to examination, surgery, or other treatment. Adequate medical records to support treatment or prescribed medications must be produced and maintained public in violation of OAC 435:10-7-4(41).

### **CONCLUSION**

Given the foregoing, the undersigned requests 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 the

Defendant's professional license, including an assessment of costs and attorney's fees incurred in this action as provided by law.

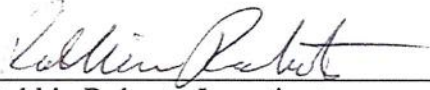


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**VERIFICATION**

I, Robbin Roberts, under penalty of perjury, under the laws of the State of Oklahoma, state as follows:

1. I have read the above Complaint regarding the Defendant, Jeffrey Cole Haggard, M.D.; and
2. The factual statements contained therein are true and correct to the best of my knowledge and belief.



Robbin Roberts, Investigator  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION

Date: 1-6-22