

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

**FILED**

OCT 14 2019

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA, *ex rel.*, )  
OKLAHOMA STATE BOARD OF )  
MEDICAL LICENSURE )  
AND SUPERVISION, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
PEDRO MEJIA GARAGORRY, M.D., )  
LICENSE NO. MD 34104, )  
 )  
Defendant. )

Case No. 19-05-5748

**VERIFIED COMPLAINT**

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

**I. JURISDICTION**

1. 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.*
2. In Oklahoma, Defendant holds medical license no. 34104.
3. The acts and omissions complained of herein were made while Defendant was acting as a physician pursuant to the license conferred upon him by the State of Oklahoma. Such acts and omissions occurred within the physical territory of the State of Oklahoma.

**II. ALLEGATIONS OF UNPROFESSIONAL CONDUCT**

4. On or about May 11, 2019, the Defendant was employed at Comanche County Memorial Hospital in Lawton, Oklahoma, and scheduled to work.

5. On May 16, 2019, Dr. Scott Michner, CFO of Comanche County Memorial Hospital (CCMH), called Board Investigator Robbin Roberts to report that the Defendant, came into the CCMH emergency room just before his shift was to begin on the evening of May 11, 2019, complaining of a possible heart attack.
6. Staff of CCMH agreed that the Defendant was acting bizarre and drug use was suspected.
7. A urine sample was collect within approximately two (2) hours.
8. The toxicology report was returned on May 15, 2019, and was positive for methamphetamine.
9. The Defendant was summarily suspended.
10. Upon inquiry from Investigator Robbin Roberts, the Defendant reported that he had intended to see patients on this upcoming shift on May 11, 2019.
11. The Defendant completed a substance abuse assessment at Professional Renewal Center (PRC) in Lawrence, Kansas on May 28-31, 2019.
12. He was found not to have a substance use disorder and PRC endorsed his return to clinical practice once he has been able to establish a contract with OHPP and initiated substance abuse monitoring with OHPP and initiated the treatment recommendations listed in the discharge summary.

### **III. VIOLATIONS**

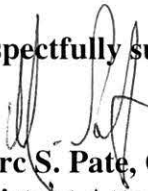
48. Based on the foregoing, Defendant is guilty of unprofessional conduct as follows:
  - a. conduct likely to harm the public in violation of OAC 435:10-7-4(11) and 59 OS. § 509(8);
  - b. being physically unable to practice medicine with reasonable skill and safety in violation of OAC 435:10-7-4(17);
  - c. behavior that demonstrates an incapacity to practice medicine in violation of OAC 435:10-7-4(18);
  - d. personal use of a controlled dangerous substance in violation of OAC 435:10-7-4(24) and 59 O.S. § 509(16); and,
  - e. violating laws and regulation by ingesting methamphetamine in violation of OAC 435:10-7-4(27).

### **IV. CONCLUSION**

Given the foregoing, the undersigned respectfully request the Board to conduct a hearing, and upon proof of the allegation contained herein, impose such disciplinary action as authorized bylaw, 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.

Respectfully submitted,

  
**Marc S. Pate**, OBA No. 10567  
**Assistant Attorney General**  
313 NE 21<sup>st</sup> Street  
Oklahoma City, Oklahoma 73105  
(405)521-3921

**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 **PEDRO MEJIA GARAGORRY, M.D.**; and,
2. The factual statements contained therein are true and correct to the best of my knowledge and belief.

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

Date: 10-14-19  
\_\_\_\_\_  
**Oklahoma County, Oklahoma**