

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

**FILED**

JUL - 6 2022

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA, *ex rel.* )  
OKLAHOMA STATE BOARD )  
OF MEDICAL LICENSURE )  
AND SUPERVISION, )

Plaintiff, )

v. )

Case No. 21-09-6044

DAVID PATRICK MURRAY, M.D. )  
LICENSE NO. MD 34855, )

Defendant. )

**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 **DAVID PATRICK MURRAY, 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. 34855.
3. The acts and omissions complained of herein were made while Defendant was licensed to practice medicine by the State of Oklahoma.

**II. ALLEGATIONS OF UNPROFESSIONAL CONDUCT**

4. On September 8, 2021, the Chief Medical Officer at Flagstaff Medical Center in Arizona reported that he was treating a patient who was involved in a car accident on September 6, 2021, who tested positive for cocaine, amphetamines, narcotics and marijuana. The patient was Defendant and disclosed that he was a surgical resident in Oklahoma.
5. On September 22, 2021, Board investigator Robbin Roberts requested, and eventually

received, Defendant's patient hospital record which indicated he had cocaine, marijuana and amphetamines in his system when he was taken in immediately after the car accident in question. The records indicate that Defendant admitted to hospital staff that he smokes marijuana daily.

6. At the time of this incident, Defendant was under contract with OHPP. Defendant relapsed but did not immediately inform OHPP staff.

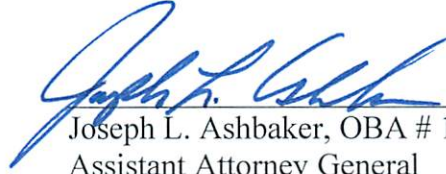
### III. VIOLATIONS

7. Based on the foregoing, **DAVID PATRICK MURRAY, M.D.**, is guilty of unprofessional conduct as follows:
  - a. Habitual intemperance or the habitual use of habit-forming drugs, in violation of 59 O.S. § 509(4) & Okla. Admin. Code § 435:10-7-4(3)
  - b. The inability 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 physical condition. In enforcing this section the State Board of Medical Licensure and Supervision may, upon probable cause, request a physician to submit to a mental or physical examination by physicians designated by it. If the physician refuses to submit to the examination, the Board shall issue an order requiring the physician to show cause why the physician will not submit to the examination and shall schedule a hearing on the order within thirty (30) days after notice is served on the physician, exclusive of the day of service. The physician shall be notified by either personal service or by certified mail with return receipt requested. At the hearing, the physician and the physician's attorney are entitled to present any testimony and other evidence to show why the physician should not be required to submit to the examination. After a complete hearing, the Board shall issue an order either requiring the physician to submit to the examination or withdrawing the request for examination. The medical license of a physician ordered to submit for examination may be suspended until the results of the examination are received and reviewed by the Board, in violation of 59 O.S. § 509(15) & Okla. Admin. Code § 435:10-7-4(40)

### IV. CONCLUSION

Given the foregoing, the undersigned respectfully request the Board to conduct a hearing, and upon proof of the allegation(s) contained herein, impose an appropriate punishment pursuant to the applicable law and rule on **DAVID PATRICK MURRAY M.D.**, including an assessment of costs and attorneys' fees incurred in this action as provided by law.

Respectfully submitted,



Joseph L. Ashbaker, OBA # 19395  
Assistant Attorney General  
OKLAHOMA STATE BOARD OF MEDICAL  
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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 **DAVID PATRICK MURRAY, 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

Executed this 6<sup>th</sup> day of July, 2022, in Oklahoma County, State of Oklahoma.