

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.)

JEFFREY WAYNE PAIGE, R.C.,)
LICENSE NO. RC511,)

Defendant.)

OCT 12 2006

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 06-08-3145

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, Jeffrey Wayne Paige, RC, 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 respiratory care practitioners in the State of Oklahoma pursuant to 59 Okla. Stat. §480 *et seq.* and 2026 *et seq.*

2. Defendant, Jeffrey Wayne Paige, R.C., holds Oklahoma respiratory care license no. RC511, and is authorized to practice as a respiratory care practitioner.

3. Defendant was initially licensed in the State of Oklahoma under the terms of an Agreement for Licensure dated October 22, 2002 based upon an arrest and plea of guilty in 2001 in Garvin County, State of Oklahoma, on charges of **DUI, UNLAWFUL POSSESSION OF MARIJUANA AND UNLAWFUL POSSESSION OF CONTROLLED DRUGS**. Defendant's Agreement was terminated by the Board on December 25, 2004.

4. On or about July 18, 2006, Defendant was arrested by the Stroud Police Department and charged with **DUI and DRUG/NARCOTIC VIOLATIONS**. At the time of his arrest, police found marijuana in his car and noted that he appeared to be impaired. Defendant agreed to a blood test, which subsequently tested positive for Phentermine, Diazepam, Hydrocodone, Nordiazepam, Alprazolam and Trazadone, as well as Marijuana.

5. A review of Defendant's medical records from his treatment providers, as well as a review of Defendant's pharmacy records, reveals no valid prescriptions for the Phentermine or Alprazolam.

6. On or about August 24, 2006, a Davenport Police Department officer was dispatched to Defendant's home based upon Defendant's claim that his Lortab had been stolen from his home. According to the police report filed by the officer, when she arrived, Defendant appeared to be under the influence of an intoxicant, in that he had red, bloodshot eyes and slurred speech. At that time, Defendant advised the police officer that he needed a copy of the report so that he could get another prescription from his physician. When the officer advised Defendant that it would not be available until the police chief approved the report, Defendant became very agitated. Several minutes later, when the police officer was leaving, Defendant again asked for a copy of the report so that he could get another prescription, at which time the police officer again advised him that it was not available at that time.

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

- A. Is unfit or incompetent by reason of negligence, habits, or other causes of incompetency in violation of 59 O.S. §2040(2).
- B. Violated any provision of the medical practice act or the rules and regulations of the Board or of an action, stipulation, agreement or order of the Board in violation of 59 O.S. §2040(9) and OAC 435:45-5-3(24).
- C. Violated any provision of the Respiratory Care Practice Act or the rules promulgated by the Board in violation of OAC 435:45-5-3(21).
- D. Is habitually intemperate or addicted to any drug, chemical or substance which could result in behavior that interferes with the practice of respiratory care and the responsibilities of the licensee in violation of OAC 435:45-5-3(1).
- E. Is addicted to, or has improperly obtained, possessed, used or distributed habit-forming drugs or narcotics in violation of 59 O.S. §2040(4).
- F. Is guilty of dishonest or unethical conduct in violation of 59 O.S. §2040(5).
- G. Has violated or aided or abetted others in violation

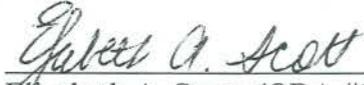
of any provision of the Respiratory Care Practice Act in violation of 59 O.S. §2040(8).

- H. Has engaged in the unauthorized possession and use of illegal or controlled substances or pharmacologic agents without lawful authority or prescription by an authorized and licensed independent practitioner of the state of Oklahoma in violation of OAC 435:45-5-3(2).

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 provisional respiratory care practitioner license, and an assessment of costs and attorney's fees incurred in this action as provided by law.

Respectfully submitted,



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