

IN AND BEFORE THE STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel,  
OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE AND  
SUPERVISION,

*July*  
**FILED**

JAN 27 1988

Plaintiff,

v.

STATE BOARD OF  
MEDICAL EXAMINERS

DARWIN L. RICHARDSON, M.D.  
Medical License No. 5768,

CASE NO. 87-11-540

)  
Defendant. )

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision en banc on the 22nd day of January, 1988, at the office of the Oklahoma State Medical Association, 601 NW Expressway, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Daniel J. Gamino, Attorney, appeared for the Plaintiff, and Darwin L. Richardson, M.D., Defendant, appeared by way of Voluntary Submittal to Jurisdiction.

The Board of Medical Licensure and Supervision en banc heard the testimony and reviewed exhibits and being fully advised in the premises, the Board of Medical Licensure and Supervision therefore finds as follows:

FINDINGS OF FACT

1. That Defendant, Darwin L. Richardson, M.D., holds Oklahoma Medical License No. 5768.
2. That the Board of Medical Licensure and Supervision en banc has jurisdiction over the subject matter herein and that notice has been given in all respects as required by law and the rules of the Board.
3. That the Board finds that the allegations of the complaint as set forth below contain adequate evidence for disciplinary action against the Defendant.
4. That on or around January 12, 1977, the Administrative Law Judge of the Office of Administrative Hearings of the Board of Medical Quality Assurance, Department of Consumer Affairs, State of California, issued his Proposed Decision on evidence submitted concerning actions by Dr. Richardson's physician's assistant in seeing five different patients and making diagnosis and prescribing controlled dangerous substances for the aforesaid patients and Dr. Richardson did not at any time review separately or with the physician's assistant and the patient the findings of the history, physical examination and diagnostic procedure undertaken by the physician's assistant before the initiation by the physician's assistant of therapeutic procedures.
5. On or around July 26, 1977, the Division of Medical Quality, Board of Medical Quality Assurance of the State of California, did issue its Decision and Order herein which included the revocation of Dr. Richardson's legal approval to supervise physician's assistant for a period of 30 days and a five-day suspension of Dr. Richardson's license to practice as a physician and surgeon in the State of California and placed Dr. Richardson's license under a term of probation of three years.

6. That on or around June 4, 1982, an accusation was filed by the California Board of Medical Quality Assurance wherein a former patient, Marilyn Lindsay, alleged she did not sign the consent form for a sterilization procedure until two weeks after the surgery was performed and when faced with this accusation the Defendant agreed to and did in fact surrender his license to practice medicine and surgery in the State of California.

CONCLUSIONS OF LAW

1. That Darwin L. Richardson, M.D., holding Oklahoma Medical License No. 5768, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, Sec. 509, Paragraph 15, to-wit:

✓ "15. Aiding or abetting, directly or indirectly, the practice of medicine by any person not duly authorized under the laws of Oklahoma."

2. That Darwin L. Richardson, M.D., is in violation of the Rules and Regulations promulgated by this Board, specifically Section IX, Rule 7, to-wit:

✓ "Rule 7: The delegation of authority to another person for the signing of prescriptions for either controlled or non-controlled drugs."

ORDER *cut*

IT IS THEREFORE ORDERED by the Oklahoma Board of Medical Licensure and Supervision as follows:


1. That the Defendant, Darwin L. Richardson, M.D., Oklahoma Medical License No. 5768, should be and is hereby formally reprimanded and said reprimand should be entered as a matter of record on the official file of the Defendant.

✓ 2. That in the event the Defendant relocates to the State of Oklahoma and desires to practice medicine and surgery within the State of Oklahoma that he must appear before the Board concerning the above facts and that the Defendant agrees to abide by any additional conditions imposed by the Board at that time, if any.

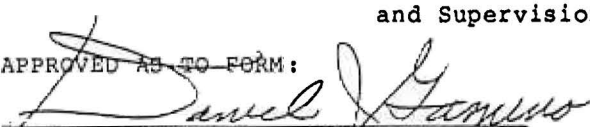
3. That the jurisdiction of the Board in this individual proceeding will continue in this matter until the terms and conditions of probation are modified or lifted by the Oklahoma State Board of Medical Licensure and Supervision on their own motion or on the motion of the Defendant.

✓ 4. Failure to meet any of the above terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke Defendant's Oklahoma Medical License, after additional due notice and hearing.

DATED this 27<sup>th</sup> day of JANUARY, 1988.

  
MARK R. JOHNSON, M.D., Secretary  
State Board of Medical Licensure  
and Supervision

APPROVED AS TO FORM:

  
DANIEL J. GAMINO OBA #3227  
Daniel J. Gamino & Associates, P.C.  
3315 NW 63  
Oklahoma City, OK 73116  
(405) 840-3741  
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this 4 day of February, 1988, to:

Darwin L. Richardson, M.D.  
P.O. Box 368  
Needles, CA 93363

Janet L. Owens