

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.)
)
SUSAN JANE WALDENVILLE, P.A.,)
P.A. LICENSE NO. PA627,)
)
Defendant.)

NOV 12 1998

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 98-03-1984

VOLUNTARY SUBMITTAL TO JURISDICTION AND ORDER

Plaintiff, the State of Oklahoma, ex rel. the Oklahoma State Board of Medical Licensure and Supervision (the "Board"), by and through its attorney, Susan Moebius Henderson, Assistant Attorney General for the State of Oklahoma and the staff of the Board, as represented by the Executive Director of the Board, Lyle Kelsey, and the Defendant, Susan Jane Waldenville, P.A., Oklahoma P.A. license no. 627, who appears in person and through her attorney, Michael S. "Mickey" Homsey, proffer this Agreement for acceptance by the Board *en banc* pursuant to Section 435:5-1-5.1 of the Oklahoma Administrative Code ("OAC").

AGREEMENT AND ACKNOWLEDGMENT BY DEFENDANT

By voluntarily submitting to jurisdiction and entering into this Order, Defendant pleads no contest to the allegations in the Complaint and Citation filed herein on April 23, 1998 and acknowledges that hearing before the Board would result in some sanction under the Oklahoma Physician Assistant Practice Act, 59 Okla. Stat. §519.1 *et seq.* (the "Act").

Defendant, Susan Jane Waldenville, P.A., states that she is of sound mind and is not under the influence of, or impaired by, any medication or drug and that she fully recognizes her right to appear before the Board for evidentiary hearing on the allegations made against her. Defendant hereby voluntarily waives her right to a full hearing, submits to the jurisdiction of the Board and agrees to abide by the terms and conditions of this Order. Defendant acknowledges that she has read and understands the terms and conditions stated herein, and that this Agreement has been reviewed and discussed with her by her legal counsel.

Based on Defendant's plea of no contest and the parties' agreement as stated herein, the Board enters the following Findings of Fact, Conclusions of Law and Orders:

Findings of Fact

1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physician assistants in the State of Oklahoma pursuant to 59 Okla. Stat. §519.1 *et seq.*

2. The Board has jurisdiction over this matter, and notice has been given in all respects in accordance with law and the rules of the Board.

3. Defendant, Susan Jane Waldenville, P.A., holds physician assistant license no. PA627 in the State of Oklahoma. She is not currently authorized to practice for the reason that she has no supervising physician at this time.

4. On or around September 1992, Defendant, Susan Jane Waldenville, a/k/a "Suzzie" J. Waldenville, submitted her initial application for licensure as a physician assistant in the State of Oklahoma.

5. On her initial application, Defendant stated that she had never been licensed in the State of Oklahoma and failed to list any other license numbers or to identify any other profession for which she held a license.

6. Also on her initial application, Defendant responded "no" to the following questions:

A. Has your license or certificate ever been revoked, voluntarily surrendered or have you ever been the subject of disciplinary action by a licensing agency, institution or professional society?

B. Are you now or have you ever been treated for an emotional, mental or nervous disorder?

7. At the time Defendant submitted her initial application, she held an active license as a registered nurse from the Oklahoma Board of Nursing, license #R0033169 issued to Defendant under the name of Susan Jane Waldenville Miller Hopson.

8. Defendant had disciplinary action taken against her nursing license in 1988. In August 1988, she entered into a consent order with the Oklahoma Board of Nursing which included a suspension of her license for six (6) months and an order requiring her to attend a support group, receive counseling, undergo a psychological evaluation and complete a course in documentation. Her license was reinstated in July 1989 at which time and was placed on 12

months probation. After successfully completing her probationary term, her nursing license was fully restored.

9. Based on the allegations stated above, Defendant is guilty of unprofessional conduct in that she obtained a certificate as a physician assistant by fraud or deception in violation of OAC 435:15-5-11(3) and (7) and OAC 435:10-7-4(8).

10. On September 10, 1997 a fraudulent prescription for hydrocodone (C-III) for Defendant was called in to an Edmond pharmacy. The caller used the DEA number of Defendant's personal physician, Thomas K. Tkach, M.D., Oklahoma Medical License No. 17380, for authorization even though Dr. Tkach had not authorized the prescription.

11. On September 28, 1997, Defendant personally called in a fraudulent prescription for hydrocodone (C-III) for her mother using the DEA number of Ahmad S. Jazzar, M.D., Oklahoma license no. 18466, without his prior authorization, consent or knowledge.

12. Defendant admitted to the police in an interview on October 6, 1997 that she had illegally called in the two prescriptions described in paragraphs 9 and 10 because someone had stolen her hydrocodone.

13. On October 6, 1997, Defendant attempted to purchase hydrocodone (C- III) with a false prescription, again using Dr. Jazzar's DEA number. The pharmacist attempted to verify the prescription by telephone and was advised by Dr. Jazzar that he had not authorized or ordered the prescription for Defendant.

14. As a result of the events described in paragraphs 9-12, Defendant was arrested and charged October 21, 1997 in Oklahoma County District Court, Case No. CF-97-6286, with two felony counts of obtaining a controlled dangerous substance by fraud in violation of 63 Okla. Stat. §2-407 and one felony count of attempting to obtain a controlled dangerous substance by fraud in violation of 63 Okla. Stat. §2-407. On May 13, 1998 Defendant was bound over for trial on the charges.

15. Based on the above allegations, Defendant is guilty of unprofessional conduct in violation of OAC 435:15-5-11(7) and the following:

- A. Purchasing or prescribing any regulated substance in Schedule I through V, as defined by the Uniform Controlled Dangerous Substances Act, for personal use in violation of OAC 435:10-7-4(5).
- B. Using a false, fraudulent or deceptive statement in any document connected with the practice of medicine and surgery in violation of 59 Okla. Stat. §509(12) and OAC 435:435:10-7-4(19).

- C. 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 herself in violation of OAC 435:10-7-4(26).
- D. Violating any state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).
- E. Commission of any act which is a violation of the criminal laws of this state when such act is connected with Defendant's practice in violation of 59 Okla. Stat. §509(10).
- F. Confession of a crime involving a violation of the anti-narcotic laws and regulations of the federal government, and the laws of this state in violation of 59 Okla. Stat. §509(8).

16. Although Defendant has been licensed as a physician assistant since February 27, 1993, she has not been authorized to practice continuously since that time under 59 Okla. Stat. §519.6(A) for the reason that she has failed from time to time to have an approved, current application to practice jointly filed by her and a supervising physician.

17. On August 6, 1997 Defendant filed a PA Information Update indicating that she intended to transfer from her prior supervising physician, Howard Hagglund, Oklahoma medical license no. 9798, to Dr. Jazzar. On August 7, 1997 the Board Secretary issued a letter of temporary approval for Defendant to practice as a physician assistant under the supervision of Dr. Jazzar which was followed by formal written approval from the Board in September 1997.

18. Dr. Jazzar advised the Board by letter received October 7, 1997 that he had terminated his supervision of Defendant effective August 4, 1997, which was two days prior to the Board's receipt of Defendant's request to transfer supervision to Dr. Jazzar. Dr. Jazzar advised Defendant on or before August 4, 1997 of his decision not to supervise her.

19. In August and September 1997 a physician assistant student, Lawrence Walker, was assigned to Dr. Jazzar at an Edmond clinic by the University of Oklahoma Health Sciences Center, College of Medicine, Physician Assistant Division. The application requesting a student physician assistant was signed by Defendant and stated that Dr. Jazzar would be responsible for the student's training. Letters assigning the student to Dr. Jazzar and explaining the program objectives and responsibilities were all addressed to Dr. Jazzar rather than to Defendant. The physician assistant student worked under the supervision of Defendant without the knowledge, consent or supervision of Dr. Jazaar.

20. Defendant practiced unlawfully, without the supervision of a licensed physician, at an Edmond clinic on at least 50 patients during August 1997. Specifically, Defendant performed, or authorized Lawrence Walker to perform under her sole direction and control, some 55 separate

procedures, including physical examinations, ordering prescriptions, dispensing drug samples and administering injections.

21. Based on the above allegations, Defendant is guilty of unprofessional conduct in violation of OAC 435:15-5-11(7) for the reason that she:

- A. Violated, or attempted to violate, directly or indirectly, the provisions of the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act and the Physician Assistant Act, either as a principal, accessory or accomplice in violation of 59 Okla. Stat. §509(14).
- B. Aided and abetted, directly or indirectly, the practice of medicine by any person not duly authorized under the laws of this state in violation of 59 Okla. Stat. §509(15) and OAC 435:10-7-4(21).
- C. Used a false, fraudulent or deceptive statement in any document connected with her practice in violation of OAC 435:10-7-4(19).

22. From August 1995 to March 1998, Defendant prescribed the following controlled dangerous substances for herself without authorization from any of her supervising physicians:

Self

DATE	DRUG	QTY	SCH	Rx NO.	PHARMACY ID	DOCTOR
8/31/95	LORCET 10MG	40	3	162378	SHERRY'S	RITTENHOUSE
9/22/95	LORCET 10MG	90	3	163326	SHERRY'S	JOHNSON
11/6/95	LORCET 10MG	60	3	165088	SHERRY'S	JOHNSON
11/20/95	TUSSIONEX	120	3	261465	NEWT'S	RITTENHOUSE
2/1/96	LORCET 10MG	30	3	169046	SHERRY'S	JOHNSON
2/19/96	LORAZEPAM 1MG	30	4	169732	SHERRY'S	JOHNSON
2/19/96	LORCET 10MG	30	3	169731	SHERRY'S	JOHNSON
4/1/96	LORCET 10MG	40	3	171622	SHERRY'S	JOHNSON
4/20/96	LORCET 10MG	30	3	172403	SHERRY'S	JOHNSON
5/23/96	HYDROCODONE 10MG	30	3	173654	SHERRY'S	JOHNSON
9/9/96	CARISOPRODOL 350MG	30	4	275329	NEWT'S	JOHNSON
10/15/96	HYDROCODONE 10MG	40	3	178539	SHERRY'S	RITTENHOUSE
10/30/96	HYDROCODONE 5MG	30	3	755006	BARRETT DRUG	JOHNSON
11/27/96	HYDROCODONE 10MG	40	3	180002	SHERRY'S	RITTENHOUSE
1/31/97	CPD PHEN/FEN	30	4	282105	NEWT'S	HAGGLUND
3/13/97	CARISOPRODOL 350MG	90	4	184088	SHERRY'S	HAGGLUND
3/13/97	HYDROCODONE 10MG	30	3	184091	SHERRY'S	HAGGLUND
4/3/97	HYDROCODONE	40	3	285219	NEWT'S	HAGGLUND
4/3/97	CARISOPRODOL 350MG	30	4	42863	HOSP. DISCOUNT	HAGGLUND
4/3/97	CPD PHEN/FEN	30	4	282105	NEWT'S	HAGGLUND
4/15/97	HYDROCODONE 10MG	40	3	185288	SHERRY'S	HAGGLUND
5/29/97	HYDROCODONE 10MG	100	3	43588	HOSP. DISCOUNT	HAGGLUND

6/26/97	HYDROCODONE 10MG	20	3	763282	BARRETT DRUG	JAZZAR
7/11/97	HYDROCODONE 10MG	50	3	485554	CLINIC	JAZZAR
7/14/97	HYDROCODONE 10MG	40	3	0083859	WALGREEN 3648	JAZZAR
8/18/97	HYDROCODONE 10MG	50	3	764829	BARRETT DRUG	JAZZAR
8/22/97	CARISOPRODOL 350MG	60	4	200417	CREST EDM.	JAZZAR
8/22/97	HYDROCODONE 10MG	50	3	200416	CREST EDM.	JAZZAR
12/17/97	HYDROCODONE 7.5MG	30	3	491374	CLINIC	SEELIG
2/7/98	HYDROCODONE 7.5MG	12	3	771079	BARRETT DRUG	SEELIG
2/9/98	HYDROCODONE 7.5MG	20	3	771079	BARRETT DRUG	SEELIG

23. From July 1995 to February 1998, Defendant prescribed the following controlled dangerous substances to her mother without authorization from any of her supervising physicians:

Mother

DATE	DRUG	QTY	SCH	Rx No.	PHARMACY	DOCTOR
7/21/95	LORCET 10MG	60	3	256176	NEWT'S	RITTENHOUSE
8/12/95	LORCET 10MG	60	3	256176 R1	NEWT'S	RITTENHOUSE
9/28/95	LORCET 10MG	60	3	256176 R2	NEWT'S	RITTENHOUSE
10/10/95	PHEN/FEN	30	4	259562	NEWT'S	RITTENHOUSE
11/10/95	CARISOPRODOL	30	4	261019	NEWT'S	RITTENHOUSE
11/10/95	LORCET 10MG	60	3	256176 R3	NEWT'S	RITTENHOUSE
12/29/95	HYDROCODONE 10MG	50	3	263365	NEWT'S	JOHNSON
2/9/96	HYDROCODONE 10MG	40	3	265476	NEWT'S	JOHNSON
2/26/96	PHEN/FEN	30	4	266314	NEWT'S	JOHNSON
3/18/96	HYDROCODONE 10MG	40	3	265476 R1	NEWT'S	JOHNSON
4/14/96	PHEN/FEN	30	4	269014	NEWT'S	JOHNSON
4/29/96	HYDROCODONE 10MG	40	3	269490	NEWT'S	JOHNSON
6/10/96	HYDROCODONE 10MG	40	3	271477	NEWT'S	RITTENHOUSE
7/5/96	PHEN/FEN	40	4	272579	NEWT'S	RITTENHOUSE
7/12/96	HYDROCODONE 10MG	40	3	272869	NEWT'S	RITTENHOUSE
8/1/96	HYDROCODONE 10MG	40	3	273708	NEWT'S	RITTENHOUSE
9/6/96	PHEN/FEN	30	4	275326	NEWT'S	RITTENHOUSE
9/9/96	HYDROCODONE 10MG	40	3	275391	NEWT'S	RITTENHOUSE
10/21/96	HYDROCODONE 10MG	40	3	277279	NEWT'S	RITTENHOUSE
10/21/96	PHEN/FEN	30	4	277272	NEWT'S	RITTENHOUSE
12/6/96	HYDROCODONE 10MG	60	3	279364	NEWT'S	RITTENHOUSE
12/6/96	CARISOPRODOL	50	4	279365	NEWT'S	RITTENHOUSE
12/16/96	HYDROCODONE 10MG	40	3	279364 R1	NEWT'S	RITTENHOUSE
1/15/97	HYDROCODONE 10MG	100	3	281329	NEWT'S	RITTENHOUSE
1/31/97	PHEN/FEN #2	30	4	282091	NEWT'S	RITTENHOUSE
1/31/97	CARISOPRODOL	50	4	282092	NEWT'S	RITTENHOUSE
4/3/97	HYDROCODONE 10MG	40	3	42867	HOSP.	HAGGLUND
4/8/97	HYDROCODONE 10MG	40	3	200089	CREST EDM.	HAGGLUND
4/23/97	HYDROCODONE 10MG	50	3	415672	HOMELAND 208	HAGGLUND
5/19/97	HYDROCODONE 10MG	100	3	287402	NEWT'S	HAGGLUND
5/19/97	CARISOPRODOL	50	4	287401	NEWT'S	HAGGLUND
6/2/97	HYDROCODONE 10MG	50	3	762485	BARRETT DRUG	HAGGLUND
6/6/97	CARISOPRODOL	40	4	342587	TV DISCOUNT	HAGGLUND
6/6/97	HYDROCODONE 10MG	50	3	342586	TV DISCOUNT	HAGGLUND
6/8/97	LORCET 10MG	24	3	738745	BARRETT DRUG	RITTENHOUSE

6/12/97	HYDROCODONE 10MG	50	3	415938	HOMELAND 208	HAGGLUND
6/12/97	CARISOPRODOL	60	4	415937	HOMELAND 208	HAGGLUND
6/16/97	HYDROCODONE 10MG	40	3	200251	CREST EDM.	HAGGLUND
6/25/97	HYDROCODONE 10MG	100	3	288942	NEWT'S	JOHNSON
7/ 1/97	HYDROCODONE 10MG	100	3	343360	TV DISCOUNT	JAZZAR
7/ 7/97	HYDROCODONE 10MG	100	3	43995	HOSP.	JAZZAR
7/ 7/97	CARISOPRODOL	40	4	43996	HOSP.	JAZZAR
7/24/97	HYDROCODONE 10MG	50	3	764119	BARRETT DRUG	JAZZAR
7/24/97	CARISOPRODOL	100	4	764120	BARRETT DRUG	JAZZAR
7/29/97	HYDROCODONE 10MG	50	3	200355	CREST EDM.	JAZZAR
8/ 9/97	HYDROCODONE 10MG	50	3	0087908	WALGREEN 3648	JAZZAR
8/12/97	HYDROCODONE 10MG	50	3	200355 R1	CREST EDM.	JAZZAR
8/26/97	HYDROCODONE 5MG	30	3	0090491	WALGREEN 3648	JAZZAR
9/ 3/97	HYDROCODONE 10MG	50	3	4416390	HOMELAND 208	JAZZAR
9/ 8/97	HYDROCODONE 10MG	60	3	292061	NEWT'S	JAZZAR
9/15/97	HYDROCODONE 10MG	50	3	764119 R1	BARRETT DRUG	JAZZAR
9/26/97	HYDROCODONE 10MG	50	3	200508	CREST EDM.	JAZZAR
9/28/97	HYDROCODONE 10MG	50	3	0144692	WALGREEN 3648	JAZZAR
10/ 6/97	HYDROCODONE 10MG	50	3	200508 R1	CREST EDM.	JAZZAR
12/ 4/97	HYDROCODONE 7.5MG	30	3	296239	NEWT'S	SEELIG
12/ 4/97	DIAZEPAM 5MG	15	4	296240	NEWT'S	SEELIG
12/19/97	CARISOPRODOL	100	4	0063511	WALGREEN 4066	SEELIG
12/19/97	PROPOXYPHENE N 100	100	4	0063512	WALGREEN 4066	SEELIG
1/ 2/98	HYDROCODONE 5MG	40	3	297634	NEWT'S	SEELIG
2/ 2/98	PROPOXYPHENE	90	4	299331	NEWT'S	SEELIG
2/20/98	PROPOXYPHENE N 100	60	4	771625	BARRETT DRUG	SEELIG
2/20/98	CARISOPRODOL	60	4	771626	BARRETT DRUG	SEELIG

24. From August 1995 to March 1998, Defendant prescribed the following controlled dangerous substances to her son without authorization from any of her supervising physicians:

Son

DATE	DRUG	QTY	SCH	Rx No.	PHARMACY	DOCTOR
8/ 1/95	LORCET 10MG	30	3	161203	SHERRY'S	RITTENHOUSE
6/ 3/96	HYDROCODONE 10MG	30	3	173957	SHERRY'S	JOHNSON
9/20/96	HYDROCODONE 7.5MG	30	3	275988	NEWT'S	RITTENHOUSE
9/20/96	CARISOPRODOL	60	4	275991	NEWT'S	RITTENHOUSE
9/28/96	HYDROCODONE 10MG	40	3	177992	SHERRY'S	RITTENHOUSE
12/12/96	HYDROCODONE 10MG	40	3	180529	SHERRY'S	RITTENHOUSE
2/21/97	HYDROCODONE 10MG	30	3	183236	SHERRY'S	HAGGLUND
3/10/97	HYDROCODONE 10MG	30	3	629002	WALMART EDM.	HAGGLUND
3/10/97	HYDROCODONE 10MG	30	3	4629002	WALMART EDM.	HAGGLUND
3/19/97	HYDROCODONE 10MG	40	3	200025	CREST EDM.	HAGGLUND
3/24/97	HYDROCODONE 10MG	40	3	481482	CLINIC PHARMACY	HAGGLUND
3/26/97	HYDROCODONE 10MG	50	3	42744	HOSP. DISCOUNT	HAGGLUND
5/12/97	HYDROCODONE 10MG	50	3	186214	SHERRY'S	HAGGLUND
6/23/97	HYDROCODONE 10MG	50	3	343048	TV DISCOUNT	JOHNSON
7/22/97	HYDROCODONE 10MG	50	3	4647328	WALMART EDM.	JAZZAR
7/22/97	HYDROCODONE 10MG	50	3	647328	WALMART EDM.	JAZZAR
7/31/97	HYDROCODONE 10MG	50	3	200359	CREST EDM.	JAZZAR

8/ 2/97	CARISOPRODOL	60	4	189293	SHERRY'S	JAZZAR
8/ 2/97	HYDROCODONE 10MG	50	3	189292	SHERRY'S	JAZZAR
8/20/97	CARISOPRODOL	40	4	764943	BARRETT DRUG	JAZZAR
8/20/97	HYDROCODONE 10MG	40	3	764945	BARRETT DRUG	JAZZAR
8/29/97	HYDROCODONE 7.5MG	40	3	345107	TV DISCOUNT	JAZZAR
8/29/97	TEMAZEPAM 15MG	30	4	345108	TV DISCOUNT	JAZZAR
9/ 5/97	CARISOPRODOL	30	4	766162	BARRETT DRUG	JAZZAR
9/30/97	HYDROCODONE 10MG	50	3	200513	CREST EDM.	JAZZAR
11/ 3/97	HYDROCODONE 7.5MG	40	3	4420300	HOMELAND 188	SEELIG
11/24/97	HYDROCODONE 7.5MG	40	3	4420300 R1	HOMELAND 188	SEELIG
12/29/97	HYDROCODONE 7.5MG	30	3	297404	NEWT'S	SEELIG
12/29/97	FLURAZEPAM 30MG	30	4	297405	NEWT'S	SEELIG
1/20/98	HYDROCODONE 7.5MG	30	3	297404 R1	NEWT'S	SEELIG
2/17/98	HYDROCODONE 7.5MG	40	3	300198	NEWT'S	SEELIG
2/20/98	HYDROCODONE 7.5MG	20	3	300422	NEWT'S	SEELIG
2/24/98	HYDROCODONE 10MG	30	3	300553	NEWT'S	SEELIG
2/27/98	HYDROCODONE 7.5MG	20	3	300773	NEWT'S	SEELIG
3/ 3/98	HYDROCODONE 7.5MG	24	3	772070	BARRETT DRUG	SEELIG
3/ 6/98	HYDROCODONE 7.5MG	24	3	772070 R1	BARRETT DRUG	SEELIG

25. Defendant is guilty of unprofessional conduct in violation of OAC 435:15-5-11(7) in that she has prescribed, sold, administered, distributed, ordered, or given drugs legally classified as controlled substances or recognized as addictive dangerous drugs to family members or to herself in violation of OAC 435:10-7-4(5) and (26).

26. Defendant is also guilty of unprofessional conduct in violation of OAC 435:15-5-11(1) and 59 Okla. Stat. §509(5) in that she habitually uses habit-forming drugs.

27. From January 1996 to March 1998 Defendant was engaged in the independent practice of medicine involving three male patients. Patients B and C lived with Defendant while they were being treated by her.

28. Defendant prescribed the following controlled substances for these three male patients without having a specific, direct order given by her supervising physician at the time of the patient's examination:

Patient A

DATE	DRUG	QTY	SCH	Rx No.	PHARMACY	DOCTOR
1/ 2/96	PROMETHAZINE VC	180	3	263533	NEWT'S	JOHNSON
1/ 2/96	HYDROCODONE 10MG	20	3	263532	NEWT'S	JOHNSON
1/ 9/96	PROMETHAZINE/CODEINE	240	3	263886	NEWT'S	JOHNSON
1/16/96	LORCET 10MG	20	3	264200	NEWT'S	JOHNSON
1/25/96	HYDROCODONE 5MG	20	3	264644	NEWT'S	JOHNSON
1/25/96	DIAZEPAM 10MG	90	4	264645	NEWT'S	JOHNSON
1/30/96	VALIUM 10MG	90	4	264912	NEWT'S	JOHNSON
1/30/96	LORTAB 7.5MG	60	3	264913	NEWT'S	JOHNSON

2/17/96	VALIUM 10MG	40	4	265883	NEWT'S	JOHNSON
2/17/96	LORCET 10MG	20	3	265884	NEWT'S	JOHNSON
2/24/96	LORCET 10MG	30	3	266278	NEWT'S	JOHNSON
2/24/96	VALIUM 10MG	40	4	266277	NEWT'S	JOHNSON
3/ 1/96	VALIUM 10MG	50	4	266277 R1	NEWT'S	JOHNSON
3/ 1/96	PROMETHAZINE/CODEINE	120	3	266603	NEWT'S	JOHNSON
3/ 4/96	PROMETHAZINE/CODEINE	120	3	266603 R1	NEWT'S	JOHNSON
3/ 6/96	LORCET 10MG	30	3	266850	NEWT'S	JOHNSON
3/ 9/96	PROMETHAZINE/CODEINE	120	3	266603 R2	NEWT'S	JOHNSON
3/12/96	VALIUM 10MG	85	4	267167	NEWT'S	JOHNSON
3/12/96	LORCET 10MG	30	3	267166	NEWT'S	JOHNSON
3/20/96	LORTAB 7.5MG	16	3	267572	NEWT'S	JOHNSON
4/ 1/96	HYDROCODONE 7.5MG	30	3	268082	NEWT'S	JOHNSON
4/ 1/96	ALPRAZOLAM 0.5MG	60	4	268083	NEWT'S	JOHNSON
4/15/96	ALPRAZOLAM 1MG	60	4	268781	NEWT'S	JOHNSON
4/15/96	LORTAB 7.5MG	30	3	268782	NEWT'S	JOHNSON
4/29/96	LORTAB 7.5MG	30	3	269472	NEWT'S	JOHNSON
5/14/96	ALPRAZOLAM 1MG	60	4	270257	NEWT'S	RITTENHOUSE
5/14/96	LORTAB 7.5MG	30	3	270256	NEWT'S	RITTENHOUSE
6/ 3/96	LORTAB 7.5MG	30	3	271143	NEWT'S	RITTENHOUSE
6/13/96	ALPRAZOLAM 1MG	60	4	271620	NEWT'S	RITTENHOUSE
6/20/96	LORTAB 5MG	30	3	271963	NEWT'S	RITTENHOUSE
7/ 9/96	LORTAB 7.5MG	40	3	272728	NEWT'S	RITTENHOUSE
7/ 9/96	ALPRAZOLAM 1MG	90	4	272729	NEWT'S	RITTENHOUSE
8/ 5/96	LORTAB 7.5MG	40	3	272728 R1	NEWT'S	RITTENHOUSE
8/ 5/96	ALPRAZOLAM 1MG	90	4	272729 R1	NEWT'S	RITTENHOUSE
8/30/96	ALPRAZOLAM 1MG	60	4	4418609	WALMART	RITTENHOUSE
9/ 3/96	ALPRAZOLAM 1MG	30	4	4418630	WALMART	RITTENHOUSE
9/ 9/96	HYDROCODONE 7.5MG	40	3	4418716	WALMART	RITTENHOUSE
9/20/96	LORTAB 7.5MG	40	3	4418882	WALMART	RITTENHOUSE
9/20/96	ALPRAZOLAM 1MG	90	4	4418883	WALMART	RITTENHOUSE
10/ 1/96	LORTAB 7.5MG	60	3	4418998	WALMART	RITTENHOUSE
10/ 8/96	ALPRAZOLAM 1MG	90	4	4419099	WALMART	RITTENHOUSE
10/17/96	LORTAB 7.5MG	40	3	4419237	WALMART	RITTENHOUSE
10/25/96	HIGHLAND HC	240	3	4419332	WALMART	RITTENHOUSE
10/28/96	ALPRAZOLAM 1MG	90	4	4419366	WALMART	RITTENHOUSE
10/28/96	LORTAB 7.5MG	40	3	4419365	WALMART	RITTENHOUSE
11/ 8/96	LORTAB 7.5MG	40	3	4419513	WALMART	RITTENHOUSE
11/ 8/96	PROMETHAZINE/CODEINE	240	3	4419514	WALMART	RITTENHOUSE
11/20/96	ALPRAZOLAM 1MG	90	4	4419674	WALMART	RITTENHOUSE
11/20/96	LORTAB 7.5MG	40	3	4419673	WALMART	RITTENHOUSE
11/26/96	PROMETHAZINE/CODEINE	240	3	4419739	WALMART	RITTENHOUSE
12/ 2/96	LORTAB 7.5MG	100	3	4419792	WALMART	RITTENHOUSE
12/ 6/96	DIAZEPAM 5MG	60	4	4419870	WALMART	RITTENHOUSE
12/13/96	DIAZEPAM 10MG	90	4	4419973	WALMART	RITTENHOUSE
12/23/96	PROMETHAZINE/CODEINE	240	3	4420076	WALMART	RITTENHOUSE
12/23/96	LORTAB 7.5MG	50	3	4420075	WALMART	RITTENHOUSE
1/ 6/97	DIAZEPAM 10MG	90	4	4420236	WALMART	RITTENHOUSE
1/ 6/97	LORTAB 7.5MG	100	3	4420234	WALMART	RITTENHOUSE
1/ 6/97	PROMETHAZINE/CODEINE	240	3	4420235	WALMART	RITTENHOUSE
1/20/97	PROMETHAZINE/CODEINE	240	3	4420434	WALMART	RITTENHOUSE
1/28/97	DIAZEPAM 10MG	90	4	4420538	WALMART	RITTENHOUSE
1/28/97	LORTAB 7.5MG	100	3	4420539	WALMART	RITTENHOUSE

1/28/97	PROMETHAZINE/CODEINE	240	3	4420540	WALMART	RITTENHOUSE
2/14/97	DIAZEPAM 10MG	90	4	4420768	WALMART	HAGGLUND
2/14/97	PROMETHAZINE/CODEINE	240	3	4420770	WALMART	HAGGLUND
2/14/97	LORTAB 7.5MG	100	3	4420769	WALMART	HAGGLUND
2/18/97	PROMETHAZINE/CODEINE	240	3	4420540 R1	WALMART	RITTENHOUSE
2/18/97	DIAZEPAM 10MG	90	4	4420538 R1	WALMART	RITTENHOUSE
2/18/97	LORTAB 7.5MG	100	3	4420539 R1	WALMART	RITTENHOUSE
3/ 4/97	PROMETHAZINE SYRUP	240	0	6697836	WALMART	HAGGLUND
3/18/97	LORTAB 7.5MG	50	3	4421171	WALMART	HAGGLUND
3/18/97	PROMETHAZINE SYRUP	240	0	6698692	WALMART	HAGGLUND
3/18/97	DIAZEPAM 10MG	60	4	4421170	WALMART	HAGGLUND
4/ 4/97	PROMETHAZINE SYRUP	240	0	6698692 R1	WALMART	HAGGLUND
4/ 4/97	VALIUM 10MG	70	4	4421390	WALMART	HAGGLUND
4/ 4/97	LORTAB 7.5MG	90	3	4421391	WALMART	HAGGLUND
4/22/97	LORTAB 7.5MG	90	3	4421620	WALMART	HAGGLUND
4/22/97	VALIUM 10MG	26	4	4421621	WALMART	HAGGLUND
4/30/97	VALIUM 10MG	64	4	4636690	WALMART EDM.	HAGGLUND
4/30/97	PROMETHAZINE SYRUP	240	3	6698692 R2	WALMART	HAGGLUND
5/ 5/97	ROXICET	100	2	2202487	WALMART	HAGGLUND
5/22/97	PROMETHAZINE SYRUP	240	3	6698692 R3	WALMART	HAGGLUND
5/22/97	PROMETHAZINE SYRUP	240	3	6698692 R4	WALMART	HAGGLUND
6/ 9/97	DIAZEPAM 10MG	70	4	4422191	WALMART	HAGGLUND
6/ 9/97	LORTAB 7.5MG	90	3	4422192	WALMART	HAGGLUND
6/24/97	DIAZEPAM 10MG	90	4	343136	TV DISCOUNT	JOHNSON
6/24/97	HYDROCODONE 10MG	100	3	343137	TV DISCOUNT	JOHNSON
7/ 1/97	PROMETHAZINE/CODEINE	240	3	4422450	WALMART	JAZZAR
7/ 9/97	LORTAB 7.5MG	100	3	4422531	WALMART	JAZZAR
7/ 9/97	DIAZEPAM 10MG	90	4	4422532	WALMART	JAZZAR
7/28/97	DIAZEPAM 10MG	100	4	4422728	WALMART	JAZZAR
7/28/97	PROMETHAZINE/CODEINE	240	3	4422729	WALMART	JAZZAR
7/28/97	HYDROCODONE 10MG	100	3	4422727	WALMART	JAZZAR
8/14/97	DIAZEPAM 10MG	100	4	4422919	WALMART	JAZZAR
8/14/97	HYDROCODONE 10MG	100	3	4422929	WALMART	JAZZAR
9/ 5/97	DIAZEPAM 10MG	90	4	291996	NEWT'S	JAZZAR
9/ 5/97	LORTAB 7.5MG	100	3	291997	NEWT'S	JAZZAR
10/ 2/97	HYDROCODONE 10MG	100	3	4423464	WALMART	ALBIEK
10/ 2/97	DIAZEPAM 10MG	100	4	4423465	WALMART	ALBIEK
10/19/97	HYDROCODONE 10MG	100	3	4423921	WALMART	SEELIG
10/19/97	DIAZEPAM 10MG	100	4	4423922	WALMART	SEELIG
10/19/97	PROMETHAZINE/CODEINE	240	3	4423920	WALMART	SEELIG
11/ 1/97	PROMETHAZINE/CODEINE	240	3	4423820	WALMART	SEELIG
11/ 1/97	HYDROCODONE 10MG	100	3	4423821	WALMART	SEELIG
11/ 1/97	DIAZEPAM 10MG	100	4	4423822	WALMART	SEELIG
11/24/97	LORTAB 7.5MG	100	3	295742	NEWT'S	JAZZAR
11/24/97	DIAZEPAM 10MG	100	4	295743	NEWT'S	JAZZAR
12/ 5/97	PROMETHAZINE/CODEINE	240	3	296293	NEWT'S	SEELIG
12/17/97	HYDROCODONE 10MG	100	3	296969	NEWT'S	SEELIG
12/17/97	DIAZEPAM 10MG	100	4	296967	NEWT'S	SEELIG
1/16/98	HYDROCODONE 10MG	100	3	4672198	WALMART EDM.	SEELIG
1/16/98	HYDROCODONE 10MG	100	3	296969 R1	NEWT'S	SEELIG
1/16/98	DIAZEPAM 10MG	100	4	296967 R1	NEWT'S	SEELIG
2/13/98	DIAZEPAM 10MG	90	4	4800518	WALMART EDM.	SEELIG
2/13/98	HYDROCODONE 10MG	90	3	4800516	WALMART EDM.	SEELIG

3/13/98	DIAZEPAM 10MG	80	4	4801083	WALMART EDM.	SEELIG
3/13/98	HYDROCODONE 10MG	80	3	4801082	WALMART EDM.	SEELIG

Patient B

DATE	DRUG	QTY	SCH	Rx No.	PHARMACY	DOCTOR
11/27/95	HYDROCODONE 7.5MG	40	3	165899	SHERRY'S	RITTENHOUSE
1/6/96	HYDROCODONE 10MG	30	3	167897	SHERRY'S	RITTENHOUSE
2/1/97	CARISOPRODOL 350MG	50	4	182435	SHERRY'S	RITTENHOUSE
2/1/97	LORCET 10MG	40	3	182434	SHERRY'S	RITTENHOUSE
7/13/97	CARISOPRODOL 350MG	30	4	0083708	WALGREEN 3648	JAZZAR
7/13/97	HYDROCODONE 10MG	40	3	0083709	WALGREEN 3648	JAZZAR
8/17/97	CARISOPRODOL 350MG	60	4	0088987	WALGREEN 3648	JAZZAR
8/17/97	HYDROCODONE 10MG	40	3	0088988	WALGREEN 3648	JAZZAR
8/28/97	HYDROCODONE 10MG	60	3	44549	HOSP. DISCOUNT	JAZZAR
8/28/97	CARISOPRODOL 350MG	40	4	44550	HOSP. DISCOUNT	JAZZAR
9/26/97	HYDROCODONE 10MG	60	3	44549 R1	HOSP. DISCOUNT	JAZZAR
9/26/97	CARISOPRODOL 350MG	40	4	44550 R1	HOSP. DISCOUNT	JAZZAR
11/19/97	HYDROCODONE 10MG	40	3	194031	SHERRY'S	SEELIG
11/19/97	CARISOPRODOL 350MG	60	4	194832	SHERRY'S	SEELIG
11/28/97	DIAZEPAM 10MG	90	4	1952541	SHERRY'S	SEELIG
11/28/97	HYDROCODONE 7.5MG	50	3	195253	SHERRY'S	SEELIG
12/9/97	CARISOPRODOL 350MG	60	4	468831	BARRETT DRUG	SEELIG
12/9/97	HYDROCODONE 7.5MG	40	3	768832	BARRETT DRUG	SEELIG
12/19/97	TEMAZEPAM 15MG	45	4	297099	NEWT'S	SEELIG
12/19/97	HYDROCODONE 7.5MG	40	3	297098	NEWT'S	SEELIG
1/2/98	DIAZEPAM 5MG	100	4	297674	NEWT'S	SEELIG
1/2/98	HYDROCODONE 7.5MG	50	3	297672	NEWT'S	SEELIG
1/14/98	ROXICET	30	2	197544	SHERRY'S	SEELIG
1/24/98	HYDROCODONE 7.5MG	30	3	3370542	ECKERD 2630	SEELIG
1/24/98	CARISOPRODOL 350MG	30	4	6370543	ECKERD 2630	SEELIG
2/6/98	CARISOPRODOL 350MG	50	4	771057	BARRETT DRUG	SEELIG
2/6/98	HYDROCODONE 7.5MG	30	3	771058	BARRETT DRUG	SEELIG
2/13/98	HYDROCODONE 7.5MG	40	3	300032	NEWT'S	SEELIG
2/22/98	CARISOPRODOL 350MG	60	4	5375013	ECKERD 2630	SEELIG
2/22/98	HYDROCODONE 7.5MG	40	3	3375012	ECKERD 2630	SEELIG
3/5/98	HYDROCODONE 7.5MG	40	3	772164	BARRETT DRUG	SEELIG
3/5/98	CARISOPRODOL 350MG	40	4	772165	BARRETT DRUG	SEELIG

Patient C

DATE	DRUG	QTY	SCH	Rx No.	PHARMACY	DOCTOR
7/3/97	HYDROCODONE 10MG	120	3	4416063	HOMELAND 208	JAZZAR
7/9/97	ALPRAZOLAM 1MG	30	4	0083066	WALGREEN 3648	JAZZAR
7/9/97	LORCET 10MG	30	3	0083065	WALGREEN 3648	JAZZAR
7/18/97	HYDROCODONE 10MG	150	3	763932	BARRETT DRUG	JAZZAR
8/6/97	ALPRAZOLAM 1MG	50	4	0087438	WALGREEN 3648	JAZZAR
8/6/97	HYDROCODONE 10MG	50	3	0087437	WALGREEN 3648	JAZZAR
8/25/97	HYDROCODONE 10MG	150	3	4416349	HOMELAND 208	JAZZAR
8/29/97	ALPRAZOLAM 1MG	90	4	0091032	WALGREEN 3648	JAZZAR
8/29/97	HYDROCODONE 10MG	150	3	0091031	WALGREEN 3648	JAZZAR
9/18/97	HYDROCODONE 10MG	150	3	763932 R1	BARRETT DRUG	JAZZAR

9/24/97	HYDROCODONE 10MG	150	3	4416497	HOMELAND 208	JAZZAR
10/2/97	HYDROCODONE 10MG	120	3	0145428	WALGREEN 3648	JAZZAR

29. Based on the events described in paragraphs 27 and 28, Defendant is guilty of unprofessional conduct in violation of OAC 435:15-5-11(7), OAC 435:15-5-10, OAC 435:15-11-1, OAC 435:15-11-2, OAC 435:15-13-1, OAC 435:15-13-2, and OAC 435:10-7-4(27) by exceeding the specific practice authority for prescriptions involving controlled substances as set forth in the Physician Assistant Act and its implementing regulations.

30. On or about October 2, 1997, Defendant telephoned two prescriptions for Patient A for hydrocodone 10 mg. (C-III) and diazepam (C-IV) using the DEA number of Hamed Albiek, M.D., Oklahoma medical license no. 18468. Defendant falsely identified Dr. Albiek as her new supervising physician. The prescriptions for Patient A were picked up from the pharmacy.

31. Defendant is guilty of unprofessional conduct in that she has violated OAC 435:15-5-11(7) as follows:

- A. Commission of any act which is a violation of the criminal laws of this state when such act is connected with the her practice in violation of 59 Okla. Stat. §509(10).
- B. Writing a false or fictitious prescription for controlled drugs in violation of 59 Okla. Stat. §509(12).
- C. Use of any false, fraudulent or deceptive statement in any document connected with the practice of medicine and surgery in violation of OAC 435:10-7-4(19).
- D. Violation of any state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).

32. On or about February 12, 1998, Defendant obtained Prolex DH cough syrup samples (C-III) from Blansett Pharmacal by signing her then supervising physician's name, Darrell A. Seelig, Oklahoma medical license no. 6539, to the Request and Acknowledgment of Receipt of Sample form in violation of 63 Okla. Stat. §2-407(2).

33. On or about December 13, 1996, Defendant forged the name of her then supervising physician, Lee C. Rittenhouse, M.D., Oklahoma medical license no. 12365, on an application submitted to the Oklahoma Department of Public Safety to obtain a handicapped parking placard on behalf of Patient A. The application clearly states that it must be completed by a person licensed to practice medicine and surgery who can certify the applicant's disability and that falsification of the application is a misdemeanor punishable by a fine of not more than \$500. The form was signed without the knowledge or consent of Dr. Rittenhouse.

34. Defendant is guilty of unprofessional conduct in that she has violated OAC 435:15-5-11(7) as follows:

- A. Commission of any act which is a violation of the criminal laws of this state when such act is connected with her practice in violation of 59 Okla. Stat. §509(10).
- B. Use of any false, fraudulent or deceptive statement in any document connected with the practice of medicine and surgery in violation of OAC 435:10-7-4(19).
- C. Violation of any state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).

Conclusions of Law

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Physician Assistant Practice Act, 59 Okla. Stat. §519.1 *et seq.* (the "Act") and its applicable regulations. The Board is authorized to enforce the Act as necessary to protect the public health, safety and welfare.

2. Defendant, Susan Jane Waldenville, Oklahoma physician assistant license 627, is guilty of the unprofessional conduct set forth below based on the foregoing facts:

- A. Obtaining a certificate as a physician assistant by fraud or deception in violation of OAC 435:15-5-11(3) and (7) and OAC 435:10-7-4(8).
- B. Violating OAC 435:15-5-11(7) and the following:
 - (1) Purchasing or prescribing any regulated substance in Schedule I through V, as defined by the Uniform Controlled Dangerous Substances Act, for personal use in violation of OAC 435:10-7-4(5).
 - (2) Using a false, fraudulent or deceptive statement in any document connected with the practice of medicine and surgery in violation of 59 Okla. Stat. §509(12) and OAC 435:10-7-4(19).
 - (3) 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 herself in violation of OAC 435:10-7-4(26).

(4) Violating any state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).

(5) Committing any act which is a violation of the criminal laws of this state when such act is connected with Defendant's practice in violation of 59 Okla. Stat. §509(10).

(6) Confessing a crime involving a violation of the anti-narcotic laws and regulations of the federal government, and the laws of this state in violation of 59 Okla. Stat. §509(8).

(7) Violating, or attempting to violate, directly or indirectly, the provisions of the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act and the Physician Assistant Act, either as a principal, accessory or accomplice in violation of 59 Okla. Stat. §509(14).

(8) Aiding and abetting, directly or indirectly, the practice of medicine by any person not duly authorized under the laws of this state in violation of 59 Okla. Stat. §509(15) and OAC 435:10-7-4(21).

(9) Writing a false or fictitious prescription for controlled drugs in violation of 59 Okla. Stat. §509(12).

(10) Using any false, fraudulent or deceptive statement in any document connected with the practice of medicine and surgery in violation of OAC 435:10-7-4(19).

(11) Violating any state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).

C. Habitually using habit-forming drugs in violation of OAC 435:15-5-11(1) and 59 Okla. Stat. §509(5).

D. Exceeding the specific practice authority for prescriptions involving controlled substances as set forth in the Act and implementing regulations in violation of OAC 435:15-5-11(7), OAC 435:15-5-10, OAC 435:15-11-1, OAC 435:15-11-2, OAC 435:15-13-1, OAC 435:15-13-2, and OAC 435:10-7-4(27).

Order

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

1. The Board *en banc* hereby adopts the agreement of the parties in this Voluntary Submittal to Jurisdiction.

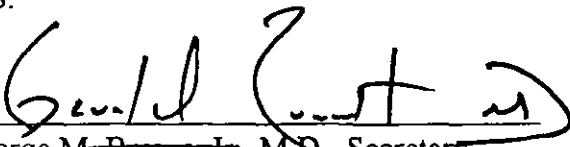
2. Pursuant to the parties' voluntary agreement and submittal to jurisdiction, Susan Jane Waldenville, P.A., holding Oklahoma physician assistant license No. 627, is hereby SUSPENDED as of September 24, 1998.

3. Pursuant to the parties' voluntary agreement and submittal to jurisdiction, Defendant may apply for reinstatement in one year, or after September 24, 1999. Upon reinstatement, if any, Defendant will be placed on probation for five (5) years with appropriate terms of probation which will address the unprofessional conduct described in this order.

4. Pursuant to the parties' voluntary agreement and submittal to jurisdiction, Defendant will complete during the period of suspension an extended treatment program for health care professionals in a residential setting at the Health Care Connection in Tampa, Florida, and will also comply with physician assistant continuing education requirements during the period of suspension.

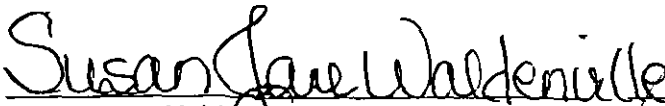
5. Pursuant to the parties' voluntary agreement and submittal to jurisdiction, Defendant shall pay promptly upon receipt of an invoice for such charges all costs of this action authorized by law, including without limitation, legal fees and investigation costs, and shall keep current all payments for monitoring her compliance with this agreement.

Dated this 12 day of ~~October~~^{November}, 1998.

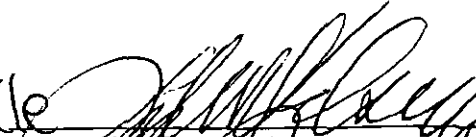

Gerald C. Zumwalt ~~George M. Brown, Jr., M.D.~~ Secretary
Oklahoma State Board of
Medical Licensure and Supervision

AGREED AND APPROVED:

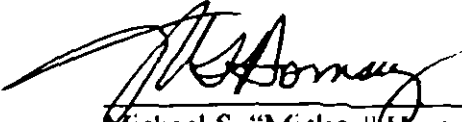
As of September 24, 1998



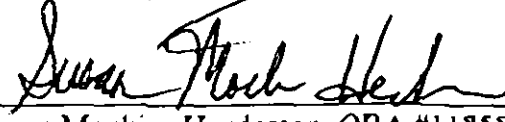
Susan Jane Waldenville, P.A.
P.A. License No. 627



Lyle Kersey, Executive Director
Oklahoma State Board of
Medical Licensure and Supervision



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405/848-6841

Attorney for Susan Jane Waldenville, P.A.,
Defendant

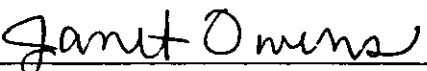
Attorney for the Oklahoma State Board
of Medical Licensure and Supervision

CERTIFICATE OF MAILING

This is to certify that on this 19th of November 1998, a true and correct copy of this order was mailed, postage prepaid to:

Susan Waldenville, P.A.
2108 Shorewood Lane
Edmond, OK 73003

Michael S. Homsey
Michael Homsey & Associates
P.O. box 718
Oklahoma City, OK 73101



Janet L. Owens, Secretary