

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

STATE OF OKLAHOMA

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

Plaintiff,

WARREN H. PORTER, M.D.
Medical License No. 6287,

CASE NO. 90-10-1134

Defendant.

COMPLAINT

COMES NOW J.G. Landreth, Investigator for the Oklahoma State Board of Medical Licensure and Supervision, being first duly sworn upon oath and states:

1. That Warren H. Porter, M.D., holding Oklahoma Medical License No. 6287, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, Sec. 509, Paragraph 17, to-wit:

"17. Prescribing, dispensing or administering of controlled substances or narcotic drugs in excess of the amount considered good medical practice, or prescribing, dispensing or administering controlled substances or narcotic drugs without medical need in accordance with published standards."

2. That Warren H. Porter, M.D., is in violation of the Rules and Regulations promulgated by this Board, specifically Section X, Rules 1A, 1B, and 1F, to-wit:

"Rule 1A: Indiscriminate or excessive prescribing, dispensing or administering of controlled or narcotic drugs."

"Rule 1B: Prescribing, dispensing or administering of controlled or narcotic drugs in excess of the amount considered good medical practice."

"Rule 1F: Dispensing, prescribing or administering a controlled substance or narcotic drug without medical need."

3. That from approximately July 1, 1990, through November 15, 1990, Defendant did write a total of 1,401 prescriptions for 62,036 dosage units of controlled dangerous substances, plus an additional 140 prescriptions of other forms totaling 18,607 units.

That a prescription survey conducted in reference to certain schedule drugs reveals that Defendant's patient H.H. received approximately 50 prescriptions for 2,590 dosage units of controlled dangerous substances from July 6, 1990, through November 13, 1990, for an average of 13.46 dosage units per day, and the drugs included Percocet 5mg., Tussionex Sus, Darvon Comp 65, and Diazepam 10mg.

5. That the survey reveals that Defendant's patient J.H. received approximately 5 prescriptions for 648 dosage units of Darvocet-N 100mg. and Phenobarbital 30mg. from July 6, 1990, through August 30, 1990, for an average of 11.57 dosage units per day.

6. That the survey reveals that Defendant's patient W.B. received approximately 6 prescriptions for 287 dosage units of Darvocet-N 100mg., Flurazepam 30mg., and Meproamate 400mg., from July 17, 1990, through August 10, 1990, for an average of 11.48 dosage units per day.

7. That the survey reveals that Defendant's patient I.V. received approximately 29 prescriptions for 1,362 dosage units of Percodan, Vicodin, Diazepam 5mg., and Lomotil from July 10, 1990, through November 8, 1990, for an average of 11.26 dosage units per day.

8. That the survey reveals that Defendant's patient M.H. received approximately 17 prescriptions for 1,308 dosage units of Butalbital AC, Lorazepam 1mg., Meproamate 400mg., Propoxyphene Apap, 100mg., and Propoxyphene Nap/Acet from July 13, 1990, through November 14, 1990, for an average of 10.55 dosage units per day.

9. That all of the above, in addition to other patient records, reveal that Defendant prescribed controlled dangerous substances in excess of the amount considered for the medical need presented.

WHEREFORE, Complainant prays this Board to conduct a hearing and upon proof of the allegations contained herein that such

disciplin ction be taken by the Board as is authorized by
law.

J.G. Landreth
J.G. LANDRETH, Investigator
State Board of Medical Licensure
and Supervision

Subscribed and sworn to before me this 20th day of
December, 1990.

Shel Deaton
Notary Public

My Commission expires
January 16, 1991