

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,

v

NOEL ELWOOD HERNDON, M.D.
License # 6808,

CASE NO. 88-10-703

Defendant.

COMPLAINT

COMES NOW D.C. Mosshart, Investigator for the Oklahoma Board of Medical Licensure and Supervision, being first duly sworn upon oath and states:

1. That Noel Elwood Herndon, holding Oklahoma Medical License Number 6808, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, Section 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.

That Noel Elwood Herndon, M.D., is in violation of the Rules and Regulations promulgated by this Board, specifically Section X, Rule 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 controlled substance or narcotic drug without medical need.

11. That patient E.J., received from the Defendant approximately 66 prescriptions for 2,346 dosage units of controlled dangerous substances from October 2, 1989 through February 9, 1990, for an average of 17.91 dosage units per day. During the period from January 2, 1989 through September 26, 1989, patient received from the Defendant approximately 97 prescriptions 3,796 dosage units of controlled dangerous substances for an average of 14.16 dosage units per day.

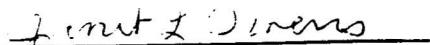
12. That patient C.F., received from the Defendant approximately 33 prescriptions for 3,060 dosage units of controlled dangerous substances from January 4, 1988 through December 20, 1989, for an average of 4.28 dosage units per day.

13. That patient J.B.F. received from the Defendant approximately 50 prescriptions for 4,894 dosage units of controlled dangerous substances from January 4, 1988 through January 16, 1990, for an average of 5.71 dosage units per day

WHEREFORE, Complainant prays this Board to conduct a hearing and upon proof of the allegations contained herein that such disciplinary action be taken by the board as is authorized by law.


D.C. MOSSHART, Investigator
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION

Subscribed and sworn to before me this 4 day of
August, 1990.


Notary Public

My Commission expires:
12-17-92