

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

**FILED**

APR 16 2004

STATE OF OKLAHOMA )  
EX REL. THE OKLAHOMA BOARD )  
OF MEDICAL LICENSURE )  
AND SUPERVISION, )

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Plaintiff, )

Case No. 03-12-2745

JODIE LEE EDGE, M.D., )  
LICENSE NO. 6865, )

Defendant. )

**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, Jodie Lee Edge, M.D., 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 physicians and surgeons in the State of Oklahoma pursuant to 59 Okla. Stat. §480 *et seq.*

2. Defendant, Jodie Lee Edge, M.D., holds Oklahoma license no. 6865.

3. On or about August 14, 1989, Defendant was **REPRIMANDED** by the Board based upon a finding that he had entered into an unlawful and fraudulent agreement with two (2) psychologists whereby he would sign insurance claim forms on persons he did not treat or see as patients.

4. On or about March 28, 2003, Defendant appeared before the Board Secretary for a **LETTER OF CONCERN** based upon over-prescribing of controlled dangerous drugs and inadequate records. At that time, Defendant agreed that his records were inadequate and agreed that he was getting out of the pain management business.

5. From January 3, 2003 until December 29, 2003, Defendant wrote or authorized 122 prescriptions for controlled dangerous drugs to Patient RWB for alleged chronic pain and depression. These prescriptions include sixty-nine (69) prescriptions for Dilaudid, a Schedule II controlled dangerous drug, for a total of **10,916 dosage units**, and fifty-three (53) prescription for

Diazepam, a Schedule IV controlled dangerous drug, for a total of **5,300 dosage units**, for an **average of 45.04 dosage units per day** of controlled dangerous drugs. Defendant's chart on this patient reveals that Defendant knew the patient was addicted to the controlled dangerous drugs, yet he continued to prescribe to him. The only vital signs and physical examination noted are from a cardiovascular consult ordered by Defendant, which came back as normal. Defendant was aware that the patient often crushed his Dilaudid and Valium and injected them IV and that he frequently lied about his medications, but Defendant continued to prescribe to the patient. Defendant's chart on this patient reveals that he failed to perform a sufficient physical examination on this patient prior to prescribing the controlled dangerous drugs, and that he did not establish a legitimate medical need for the medications.

6. January 2, 2003 until December 29, 2003, Defendant wrote or authorized 213 prescriptions for controlled dangerous drugs to Patient DGB for alleged back pain. These prescriptions include fifty-nine (59) prescriptions for Hydrocodone, a Schedule III controlled dangerous drug, for a total of **3,580 dosage units**, one hundred fifty-two (152) prescriptions for Carisoprodol, Propacet, Alprazolam, Diazepam and Clonazepam, Schedule IV controlled dangerous drugs, for a total of **5,147 dosage units**, and two (2) prescriptions for Diphenoxylate, a Schedule V controlled dangerous drug, for a total of **200 dosage units**, for an **average of 24.73 dosage units per day** of controlled dangerous drugs. Defendant's chart on this patient reveals that he failed to perform a physical examination on this patient prior to prescribing the controlled dangerous drugs, and that he did not establish a legitimate medical need for the medications.

7. From January 14, 2003 until July 8, 2003, Defendant wrote or authorized 21 prescriptions for controlled dangerous drugs to Patient SSB for alleged back pain. These prescriptions included Duragesic Patch, Methadone, Morphine, Oxycodone, Tussionex, Triazolam, Diazepam and Clonazepam, for a total of **3,693 dosage units**, for an **average of 21.10 dosage units per day** of controlled dangerous drugs. Defendant's chart on this patient reveals that he failed to perform a physical examination on this patient prior to prescribing the controlled dangerous drugs, and that he did not establish a legitimate medical need for the medications.

8. From January 3, 2002 through November 25, 2003, Defendant wrote or authorized two hundred fifty-four (254) prescriptions for controlled dangerous drugs to Patient RIB, one of the patients previously addressed in the March 28, 2003 Letter of Concern. These prescriptions included eighty-two (82) prescriptions for Dexedrine and D-Amphetamine, Schedule II controlled dangerous drugs, for a total of **1,260 dosage units**, seventy-nine (79) prescriptions for Hydrocodone, a Schedule III controlled dangerous drug, for a total of **5,160 dosage units**, and ninety-three (93) prescriptions for Carisoprodol and Diazepam, Schedule IV controlled dangerous drugs, for a total of **5,116 dosage units**, for an **average of 16.69 dosage units per day** of controlled dangerous drugs. Defendant's chart on this patient reveals that he failed to perform a physical examination prior to prescribing the controlled dangerous drugs, and he did not establish a legitimate medical need for the medications.

9. From January 16, 2002 through November 28, 2003, Defendant wrote or authorized eighty-three (83) prescriptions for controlled dangerous drugs to Patient SBB, one of

the patients previously addressed in the March 28, 2003 Letter of Concern. These prescriptions were for Duragesic Patch, Oxycodone, Endocet, Hydrocodone, Ambien, Alprazolam, Diphenoxylate and Lonox, for a total of **11,352 dosage units**, for an **average of 16.67 dosage units per day** of controlled dangerous drugs. A review of Defendant's chart on this patient reveals that the patient obtained an outside consultation where NSAIDs were recommended, yet Defendant nevertheless continued to prescribe controlled dangerous drugs to her. Defendant's chart additionally reveals that he failed to record any vital signs, he failed to perform a physical examination before prescribing the controlled dangerous drugs, and that he did not establish a legitimate medical need for the medications.

10. From January 4, 2003 through December 31, 2003, Defendant wrote or authorized one hundred thirty-three (133) prescriptions for controlled dangerous drugs to Patient RHB for migraines and stress. These prescriptions were for Methylphenidate, Butalbital/Alprazolam/Caffeine, Carisoprodol, Alprazolam and Temazepam, for a total of **5,310 dosage units**, for an **average of 14.71 dosage units per day** of controlled dangerous drugs. A review of Defendant's chart on this patient reveals that he had not performed a physical examination or recorded any vital signs for several years prior to prescribing these controlled dangerous drugs, nor did he establish a legitimate medical need for the medications.

11. From January 3, 2003 through December 29, 2003, Defendant wrote or authorized ninety-five (95) prescriptions for controlled dangerous drugs to Patient SAB for alleged migraines. These included sixty (60) prescriptions for Meprozone and Meperidine, Schedule II controlled dangerous drugs, for a total of **2,861 dosage units**, three (3) prescriptions for Histine, a Schedule III controlled dangerous drug, for a total of **72 dosage units**, and thirty-two (32) prescriptions for Ambien, Alprazolam, Temazepam and Sonata, Schedule IV controlled dangerous drugs, for a total of **949 dosage units**, for an **average of 10.78 dosage units per day** of controlled dangerous drugs. A review of Defendant's chart on this patient reveals that Defendant did not perform a physical examination or record any vital signs prior to prescribing the controlled dangerous drugs, nor did he establish a legitimate medical need for the medications.

12. From January 6, 2003 through November 4, 2003, Defendant wrote or authorized twenty-three (23) prescriptions for controlled dangerous drugs to Patient RCB for alleged back pain. These prescriptions were for Oxycodone and OxyContin, Schedule II controlled dangerous drugs, for a total of **2,616 dosage units**, for an **average of 8.66 dosage units per day** of controlled dangerous drugs. Patient RCB admitted on July 29, 2003 that he had just returned from Betty Ford for substance abuse treatment. However, Defendant subsequently prescribed OxyContin and Oxycodone to the patient nine (9) additional times, each time for 120 dosage units. A review of Defendant's chart on this patient reveals that Defendant did not perform a physical examination or record any vital signs prior to prescribing the controlled dangerous drugs, nor did he establish a legitimate medical need for the medications.

13. From January 2, 2003 through December 4, 2003, Defendant wrote or authorized twenty-six (26) prescriptions for controlled dangerous drugs to Patient DLB for alleged back pain. These prescriptions were for Dilaudid, Hydromorphone and Diazepam, for a total of **2,300**

**dosage units** of controlled dangerous drugs. A review of Defendant's chart on this patient reveals that Defendant did not perform a physical examination or record any vital signs prior to prescribing the controlled dangerous drugs, nor did he establish a legitimate medical need for the medications.

14. From February 17, 2003 through December 4, 2003, Defendant wrote or authorized sixteen (16) prescriptions for controlled dangerous drugs to Patient DBB for alleged back pain. These prescriptions were for Oxycodone and OxyContin, both Schedule II controlled dangerous drugs, for a total of **1,364 dosage units**. A review of Defendant's chart on this patient reveals that Defendant did not perform a physical examination or record any vital signs prior to prescribing the controlled dangerous drugs, did not order appropriate tests, and did not establish a legitimate medical need for the medications.

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

A. Engaged in conduct which is likely to deceive, defraud or harm the public in violation of 59 O.S. §509(9) and OAC 435:10-7-4(11).

B. Failed to maintain an office record for each patient which accurately reflects the evaluation, treatment, and medical necessity of treatment of the patient in violation of 59 O.S. §509(19).

C. Prescribed a drug without sufficient examination and establishment of a valid physician patient relationship in violation of 59 O.S. §509(13).

D. Prescribed a controlled substance without medical need in accordance with published standards in violation of 59 O.S. §509(17) and OAC 435:10-7-4(2) and (6).

E. Indiscriminate or excessive prescribing of controlled or narcotic drugs in violation of OAC 435:10-7-4(1).

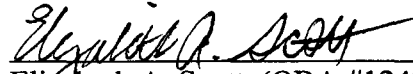
F. Committed gross or repeated negligence in the practice of medicine and surgery in violation of OAC 435:10-7-4(15).

G. Except as otherwise permitted by law, prescribed, sold, administered, distributed, ordered or gave to a habitue or addict or any person previously drug dependent, any drug legally classified as a controlled substance or recognized as an addictive or dangerous drug in violation of OAC 435:10-7-4(25).

*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 medical license, and an assessment of costs and attorney's fees incurred in this action as provided by law.

Respectfully submitted,



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