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 •)			
EDWARD ESPARZA, M.D., Medical License No. 7429,		CASE	NO.	87-8-522
Defendant.)			

COMPLAINT

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

- 1. That Edward Esparza, M.D., holding Oklahoma Medical License No. 7429, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, Sec. 509, Paragraphs 10, 11, and 17, to-wit:
 - "10. The commission of any act which is a violation of the criminal laws of Oklahoma when such act is committed within the physician's practice of medicine."
 - "ll. Failure to keep complete and accurate records of purchase and disposal of controlled drugs or of narcotic drugs."
 - "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 Edward Esparza, M.D., is in violation of the Rules and Regulations promulgated by this Board, specifically Section IX, Rules 1, 2, and 6, to-wit:
 - "Rule 1: Indiscriminate or excessive prescribing, dispensing or administering of controlled or narcotic drugs."
 - "Rule 2: Prescribing, dispensing or administering of controlled or narcotic drugs in excess of the amount considered good medical practice."
 - "Rule 6: Dispensing, prescribing or administering a controlled substance or narcotic drug without medical need."
- 3. That patient records show that the Defendant treated certain patients for an extended and lengthy period of time with

controlled dangerous substances in excess of the amount considered good medical practice and/or without sufficient medical need in accordance with published standards on patients W.S., H.S., N.R., D.C., and B.J.

- That Defendant did not keep complete and accurate records of purchase and disposal of controlled drugs or narcotic drugs as required by law.
- That Defendant failed to maintain controlled dangerous 5. substances and/or narcotics in a secure place in his office and did not maintain a biannual inventory of controlled dangerous substances and/or narcotics as required by law.
- That the above in addition to other patient records reveal that scheduled drugs were being prescribed 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 disciplinary action be taken by the Board as is authorized by law.

D.C. MOSSHART, Investigator State Board of Medical Licensure

and Supervision

ubscribed and sworn to before me this day of

My Commission expires: