

Board of Medical Licensure & Supervision
State of Oklahoma

P.O. Box 18256
Oklahoma City, Oklahoma 73154-0256



5104 N. Francis, Suite C
Oklahoma City, Oklahoma 73118-6020

February 10, 1994

George Markert, M.D.
P.O. Box 300
Stroud, OK 74079-0300

Dear Dr. Markert

Your term of Probation ended February 3, 1994 with no further action pending or contemplated. You may now report your license as unmodified and in good standing.

You will not be responsible for any charges from the Board after that date, but you will need to pay in full any invoiced amount which occurred prior to that date.

Please accept our congratulations on this positive step and our best wishes for a successful and productive career.

Sincerely,

A handwritten signature in cursive script that reads "Tom Sosbee".

Tom Sosbee
Compliance and Education Coordinator

TS/vll

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

GEORGE MARKERT, M.D.
Medical License No. 7600,

CASE NO. 88-1-559

Defendant.

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision en banc on the 3rd day of February, 1989, at the Holiday Inn, 3535 NW 39th Expressway, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Daniel J. Gamino, Attorney, appeared for the Plaintiff; and Richard James, Attorney, appeared for the Defendant, and the Defendant also appeared in person.

The Board of Medical Licensure and Supervision en banc heard testimony and announcements of counsel and reviewed the exhibits and being fully advised in the premises, the Board of Medical Licensure and Supervision therefore finds as follows:

FINDINGS OF FACT

1. That Defendant, George Markert, M.D., holds Oklahoma Medical License No. 7600.

2. That the Board of Medical Licensure and Supervision en banc has jurisdiction over the subject matter herein and that notice has been given in all respects as required by law and the rules of the Board.

3. That the Defendant did complete and file a formal Answer to each charge, and Defendant chose to not contest the allegations before the Board and consented to the sanctions imposed herein.

4. That from approximately May 1, 1988, to September 20, 1988, the Defendant wrote a total of approximately 1,102 prescriptions for Scheduled drugs in a total number of dosage units of 64,452, plus 28 additional prescriptions for 5,312 dosage units in other forms.

5. That a prescription survey conducted in reference to certain Scheduled drugs reveals that patient E.B. received approximately 10 prescriptions for 1,000 dosage units of controlled dangerous substances from May 27, 1988, through September 6, 1988, for an average of 9.71 dosage units per day.

6. That a prescription survey conducted in reference to certain Scheduled drugs reveals that patient R.M. received approximately 14 prescriptions for 894 dosage units of controlled dangerous substances from May 16, 1988, through July 7, 1988, for an average of 8.94 dosage units per day.

7. That a prescription survey conducted in reference to certain Scheduled drugs reveals that patient W.A. received approximately 13 prescriptions for 1,100 dosage units of controlled dangerous substances from May 4, 1988, through September 7, 1988, for an average of 8.66 dosage units per day.

8. That a prescription survey conducted in reference to certain Scheduled drugs reveals that patient B.B. received approximately 12 prescriptions for 1,150 dosage units of controlled dangerous substances from May 7, 1988, through September 16, 1988, for an average of 8.65 dosage units per day.

9. That a prescription survey conducted in reference to certain Scheduled drugs reveals that patient K.T. received approximately 7 prescriptions for 1,400 dosage units of controlled dangerous substances from May 21, 1988, through September 15, 1988, for an average of 8.47 dosage units per day.

10. That all of the above, in addition to other patient records reveal that Scheduled drugs were being prescribed by the Defendant in excess of the amount considered for the medical need presented.

11. That a prescription survey conducted in reference to certain Scheduled drugs reveals that patient G.W. received 1,880 dosage units of Percodan and Valium during the period of January 1, 1988, to December 12, 1988, for an average of 5.3 dosage units per day, and patient L.W. received a total of 2,640 dosage units of Percodan and Valium during the period of January 1, 1988, to December 12, 1988, for an average of 7.5 dosage units per day.

CONCLUSIONS OF LAW

1. That George Markert, M.D., holding Oklahoma Medical License No. 7600, 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 George Markert, M.D., is in violation of the Rules and Regulations promulgated by this Board, specifically Section IX, Rule 2, to-wit:

"Rule 2: Prescribing, dispensing or administering of controlled or narcotic drugs in excess of the amount considered good medical practice."

ORDER

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

1. That the Defendant, George Markert, M.D., holding Oklahoma Medical License No. 7600, should be and is hereby placed on probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of five (5) years beginning on February 3, 1989, under the following terms and conditions:

(a) During the period of probation Defendant may prescribe controlled dangerous substances only on serially-numbered, duplicate prescription pads and shall make the copies available to Investigators of the Oklahoma State Board of Medical Licensure and Supervision at their request.

(b) During the period of probation Defendant will substantially reduce the number of controlled dangerous substance prescriptions being written.

(c) During the period of probation Defendant will substantially reduce the duration of time that patients are retained on controlled dangerous substances prescribed.

(d) During the period of probation Defendant will furnish to the office of the Oklahoma State Board of Medical Licensure and Supervision all current legal addresses and any change of address in writing.

(e) Defendant shall appear before the Board or a designated member thereof whenever requested to do so.

(f) During the period of probation Defendant will submit to the Investigation Division of the Oklahoma State Board of Medical Licensure and Supervision any required reports and forms on a timely and prompt basis.

(g) Pursuant to Section 26, H.B. 1478, 1987 Legislature, Defendant shall promptly pay upon receipt of invoice from the Investigation Division of the Board the costs of investigation, prosecution and probation of this case.


(h) That violation of any of the terms and conditions of probation shall be grounds for additional charges to be presented to the Board after notice to the Defendant.

2. That the jurisdiction of the Board in this individual proceeding will continue in this matter until the terms and conditions of probation are modified or lifted by the Oklahoma State Board of Medical Licensure and Supervision on their own motion or on the motion of the Defendant.

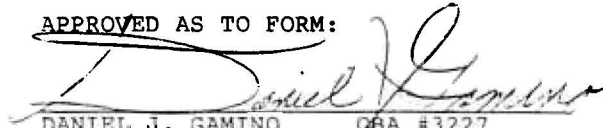
3. The Defendant further agrees that failure to meet any of the above terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke Defendant's Oklahoma Medical License, after additional due notice and hearing.

4. That the Plaintiff hereby agrees to recommend formal termination of probation after three (3) years of full compliance by the Defendant with the terms and conditions set forth above. This agreement is made a specific matter of record in this regard.

DATED this 5th day of ^{March}~~February~~, 1989


GERALD C. ZUMWALT, M.D., Secretary
State Board of Medical Licensure
and Supervision

APPROVED AS TO FORM:



DANIEL J. GAMINO OBA #3227
Daniel J. Gamino & Associates, P.C.
3315 NW 63
Oklahoma City, OK 73116
(405) 840-3741
ATTORNEY FOR PLAINTIFF

RICHARD JAMES
James, Gilmore & Hodgens, P.C.
P.O. Box 686
Stroud, OK 74079
ATTORNEY FOR DEFENDANT

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this 16 day of ~~February~~ March, 1989, to:

RICHARD JAMES
James, Gilmore & Hodgens, P.C.
P.O. Box 686
Stroud, OK 74079



Board of Medical Examiners
State of Oklahoma



OFFICE OF THE SECRETARY
TELEPHONE 848-2691
3013 N.W. 59TH STREET
OKLAHOMA CITY, OKLAHOMA 73112
March 15, 1976

George Conrad Markert, M. D.
Latuna Federal Corrections Institute
Anthony, Texas 88021

Dear Doctor Markert:

The State Board of Medical Examiners, in regular meeting on March 13, 1976, took under consideration the request of your Attorney, Mr. Richard James, for a continuance in connection with the complaint and citation filed against you.

After deliberation, the Board agreed to a continuance of this case until the next Board Meeting, however, your Oklahoma Medical License has been suspended, without any prejudice toward future action and until you are able to appear for a hearing.

Sincerely,


E. W. YOUNG, JR., M.D.
Secretary

EWY/br

cc: Drug Enforcement Administration
Oklahoma Commissioner of Narcotics
Mr. Richard James, Attorney

BEFORE THE STATE BOARD OF MEDICAL EXAMINERS
TO THE STATE OF OKLAHOMA

STATE OF OKLAHOMA,)
)
 Plaintiff,)
)
 vs.)
)
 GEORGE CONRAD MARKERT, M.D.)
)
 Defendant.)

C O M P L A I N T

MR. TED HAGSTROM, OF OKLAHOMA CITY, OKLAHOMA, being first duly sworn upon oath, deposes and says:

That Doctor George Conrad Markert, holding Oklahoma Medical License Number 7600, is guilty of unprofessional conduct with the meaning of Subsections 6 and 8, Section 509, Title 59, Oklahoma Statutes 1971, as amended, in that said docted was convicted of a felony and a crime involving the violation of the antinarcotic law.

That said doctor is the holder of an unrevoked license to practice medicine and surgery in the State of Oklahoma and under the facts above set forth it is the duty of the above Board after due citation and hearing to revoke or suspend his license or to take such other disciplinary action as may be authorized by law.


COMPLAINANT

Subscribed and sworn to before me this 11th day of February, 1976.


Notary Public

My Commission Expires: April 3, 1979