

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

FILED

AUG 15 2007

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

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff,)

v.)

Case No. 07-08-3355

STEPHEN VANCE PAUL, P.A.,)
LICENSE NO. PA770,)

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, Stephen Vance Paul, P.A., 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 physician assistants in the State of Oklahoma pursuant to 59 Okla. Stat. §480 *et seq.* and §519.1 *et seq.*
2. Defendant, Stephen Vance Paul, P.A., holds Oklahoma physician assistant license no. PA770.
3. On or about May 22, 1996, Defendant was granted a physician assistant license in the State of Oklahoma.
4. Beginning on or about October 2, 2002 and continuing through November 1, 2002, Defendant was treated at Rush Behavioral Health Center for substance abuse. Defendant admits that he was caught stealing samples of Lortab from his employer, as well as writing fraudulent prescriptions. Defendant admitted abusing Lortab for the previous five (5) years and taking as many as fifty (50) 10 mg. tablets per day.
5. On or about November 25, 2003, Defendant was arrested for DUI-Alcohol in Carter County. Defendant received a one (1) year deferred sentence.

6. On April 1, 2004, Defendant's physician assistant license lapsed based upon his failure to renew his license.

7. Defendant subsequently applied for reinstatement of his physician assistant license.

8. On or about August 5, 2004, Defendant was granted a physician assistant license under terms of an Agreement for Licensure based upon his history of substance abuse and the November 25, 2003 DUI.

9. In October 2006, Defendant's Agreement for Licensure was terminated.

10. On or about December 3, 2006, Defendant was involved in a single car accident where his car left the road due to an alleged seizure and hit a utility pole.

11. On or about December 13, 2006, Defendant submitted to an assessment for substance abuse by Lanny Anderson, M.D. Dr. Anderson recommended outpatient treatment, attendance at 12-Step meetings, and that Defendant stop taking Lortab, Xanax and alcohol. Defendant subsequently advised the Board's investigator that he was not willing to follow the recommendations of Dr. Anderson.

12. On or about March 8, 2007, Defendant submitted his Application for Renewal of Oklahoma Physician Assistant License, wherein he was asked the following question:

"Since the last renewal or initial licensure (whichever is the most recent):

H. Have you obtained an assessment or been treated for use of any drug or chemical substance including alcohol?"

In response to this question, Defendant answered "NO".

13. On or around March 20, 2007, Defendant was arrested by the Canadian County Police Department and charged with Driving a Motor Vehicle While Under the Influence of Alcohol.

14. On or about April 19, 2007, Defendant plead guilty to the charge of Driving a Motor Vehicle While Under the Influence of Alcohol. Defendant received a sentence of one (1) year in jail, to be suspended in full, and was assessed a fine. He was also ordered to complete community service and to obtain an alcohol and drug evaluation.

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

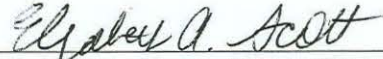
A. Habitually uses intoxicating liquors or habit-forming drugs in violation of OAC 435:15-5-11(a)(1).

- B. Violated any provision of the Medical Practice Act or the rules promulgated by the Board in violation of OAC 435:15-5-11(a)(7).
- C. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public in violation of 59 O.S. §509(8) and OAC 435:10-7-4(11).
- D. Violated any provision of the medical practice act or the rules and regulations of the Board or of an action, stipulation, or agreement of the Board in violation of 59 O.S. §509(13) and OAC 435:10-7-4(39).
- E. Is unable to practice medicine with reasonable skill and safety to patients by reason of age, illness, drunkenness, excessive use of drugs, narcotics, chemicals or any other type of material or as a result of any mental or physician condition in violation of 59 O.S. §509(15) and OAC 435:10-7-4(40).
- F. Is habitually intemperate or habitually uses habit-forming drugs in violation 59 O.S. §509(4) and OAC 435:10-7-4(3).
- G. Engaged in fraud or misrepresentation in applying for or procuring a medical license or in connection with applying for or procuring periodic reregistration of a medical license in violation of OAC 435:10-7-4(8).
- H. Engaged in practice or other behavior that demonstrates an incapacity or incompetence to practice medicine and surgery in violation of OAC 435:10-7-4(18).
- I. Engaged in the use of any false, fraudulent, or deceptive statement in any document connected with the practice of medicine and surgery in violation of OAC 435:10-7-4(19).

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

Respectfully submitted,



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