

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

FILED

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

NOV 01 2007

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff,)

v.)

Case No. 07-08-3355

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

Defendant.)

FINAL ORDER OF SUSPENSION

This cause came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the "Board") on November 1, 2007, at the office of the Board, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Elizabeth A. Scott, Assistant Attorney General, appeared for the plaintiff and defendant appeared in person and pro se.

The Board *en banc* after hearing arguments of counsel and reviewing the exhibits admitted, and being fully advised in the premises, found that there is clear and convincing evidence to support the following Findings of Fact, Conclusions of Law and Orders:

Findings of Fact

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. The Board has jurisdiction over this matter, and notice has been given in all respects in accordance with law and the rules of the Board.

3. Defendant, Stephen Vance Paul, P.A., holds Oklahoma physician assistant license no. PA770.

4. On or about May 22, 1996, Defendant was granted a physician assistant license in the State of Oklahoma.

5. 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.

6. On or about November 25, 2003, Defendant was arrested for DUI-Alcohol in Carter County. Defendant received a one (1) year deferred sentence.

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

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

9. 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.

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

11. 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.

12. 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.

13. 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”.

14. 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.

15. 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.

16. 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).

Conclusions of Law

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act (the "Act") and its applicable regulations. The Board is authorized to enforce the Act as necessary to protect the public health, safety and welfare.

2. 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).

3. The Board further found that the Defendant's license should be **SUSPENDED** based upon any or all of the violations of the unprofessional conduct provisions of OAC 435:15-5-11(1) and (7), 59 O.S. §509(4), (8), (13) and (15) and OAC 435:10-7-4(3), (8), (11), (18), (19), (39) and (40).

Order

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

1. The license of Defendant, Stephen Vance Paul, P.A., Oklahoma license no. PA770, is hereby **SUSPENDED** as of the date of this hearing, November 1, 2007 for a minimum of six (6) months.

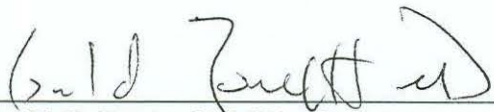
2. After six (6) months, Defendant may apply for reinstatement of his Physician Assistant License, at which time he must personally appear before the Board to request reinstatement.

3. If the Board reinstates Defendant's Physician Assistant License after his suspension, it shall be under terms of probation to be determined at that time by the Board.

4. Promptly upon receipt of an invoice for such charges, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and investigation costs.

5. Defendant's suspended license shall not be reinstated unless Defendant has reimbursed the Board for all taxed costs.

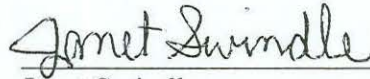
Dated this 2 day of November, 2007.



Gerald C. Zumwalt, M.D., Secretary
Oklahoma State Board of
Medical Licensure and Supervision

CERTIFICATE OF SERVICE

I certify that on the 5 day of November, 2007, I mailed, via first class mail, postage prepaid, a true and correct copy of this Order to Stephen Vance Paul, 712 S. Shepherd Drive, Mustang, OK 73064.



Janet Swindle