

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

STATE OF OKLAHOMA)
EX REL. THE OKLAHOMA BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)
)
Plaintiff,)
)
v.)
GRIFFITH C. MILLER, M.D.,)
)
LICENSE NO. 7796)
)
Defendant.)

FILED

AUG 15 2008

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 06-12-3221

APPLICATION TO DETERMINE EMERGENCY

Plaintiff, the State of Oklahoma ex rel. the Oklahoma State Board of Medical Licensure and Supervision ("State"), seeks to have an emergency declared to enable the Secretary of the Board to conduct an emergency suspension hearing against Defendant, Griffith C. Miller, M.D., Oklahoma medical license number 7796, as authorized under 59 Okla. Stat. §503.1 and 75 Okla. Stat. §314. In support of this application, the State submits the following:

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.* (the "Act"). Under Section 503.1 of the Act, the Secretary of the Board may determine that "an emergency exists for which the immediate suspension of a license is imperative for the public health, safety and welfare."

2. Defendant, Griffith C. Miller, M.D., holds Oklahoma license no. 7796, and is authorized to practice as a physician and surgeon in the State of Oklahoma.

3. A review of the Oklahoma Prescription Monitoring Program ("PMP") reflects that from July 26, 2007 through May 22, 2008, Defendant wrote or authorized fifteen (15) prescriptions for Xanax 2 mg. to Patient JFD for 1,350 dosage units. He additionally wrote or authorized thirty-two (32) prescriptions for Ambien, Hydrocodone, Carisoprodol, Histinex, Lonox and Phentermine to this patient.

4. A review of Defendant's medical chart on Patient JFD reflects no dates, vital signs or a diagnosis to support the prescriptions to the patient.

5. Defendant has admitted to Board investigators that over the past two (2) years, he has taken one (1) to two (2) Xanax per week that was not prescribed to him. He admits that he prescribed Xanax to his ex-wife, Patient JFD, who then gave the medications back to him. Defendant additionally admitted that he had also been taking Ambien, which he had prescribed to Patient JFD, who gave some of it back to Defendant for his personal use.

6. In 2005, during the course of an investigation, Defendant was personally advised by Board Investigators Steve Washbourne and Mike Kiser that he could not write prescriptions for controlled dangerous substances to his children. The Board had received information that Defendant was prescribing controlled dangerous substances to his daughter. At that time, Defendant acknowledged that he understood the law and would not write prescriptions for controlled dangerous substances to his children any longer.


7. A review of the PMP reflects that from July 10, 2007 until July 24, 2008, Defendant wrote or authorized fifty-eight (58) prescriptions for controlled dangerous substances to his son, Patient CMD. Medications prescribed include Xanax, Hydrocodone, Ambien, Carisoprodol and Histinex.

8. The State is basing its application for emergency upon Defendant's admission that he has taken controlled dangerous substances not prescribed to him and that he has continued to prescribe controlled dangerous substances to a family member despite being told that he could not do so.

9. Defendant's actions of knowingly and intentionally taking controlled dangerous substances not prescribed to him and knowingly and intentionally continuing to prescribe controlled dangerous substances to a family member justifies an emergency suspension hearing to protect the public health, safety and welfare.

WHEREFORE, the State respectfully requests that an emergency be declared, that an emergency suspension hearing be conducted by the Secretary and that the Secretary suspend Defendant's license until a hearing before the Board *en banc*.

Respectfully submitted,



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ATTORNEY FOR THE STATE

OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION