

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.)
)
PHIL JAMES GREEN, PA,)
LICENSE NO. PA 800,)
)
)
Defendant.)

FILED

JAN 12 2022

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 20-09-5933

VERIFIED COMPLAINT

The State of Oklahoma, *ex rel.* Oklahoma State Board of Medical Licensure and Supervision ("Board"), alleges and states as follows for its Complaint against **PHIL JAMES GREEN, PA** ("Defendant"):

I. JURISDICTION

1. The Board has jurisdiction over the subject matter and 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. **59 O.S. §519.3, et seq. and Okla. Admin. Code 435:15-5-11.**
2. In Oklahoma, Defendant holds Oklahoma Physician Assistant (P.A.) license no. 800.
3. The acts and omissions complained of herein were made while Defendant was licensed as a Physician Assistant by the State of Oklahoma.

II. ALLEGATIONS OF UNPROFESSIONAL CONDUCT

4. From 2017 until and through 2020, Defendant repeatedly provided services that were insufficient for examination, diagnosis, and treatment of patients such that Defendant was negligent or incompetent in practice as a Physician Assistant.
5. During the same time period:
 - a. Defendant was grossly or repeatedly negligent in his evaluation, diagnosis,

and treatment of patients.

- b. Defendant improperly managed medical records and/or maintained inadequate or inaccurate records reflecting the evaluation, treatment, and medical necessity of treatment.
- c. Defendant indiscriminately or excessively prescribed controlled or narcotic drugs to patients and/or prescribed or administered drugs or treatment without sufficient examination and failed to prescribe in a safe, medically accepted manner.
- d. Defendant prescribed controlled substances in excess of the amount considered good medical practice or without medical need in accordance with published standard.
- e. Defendant failed to obtain informed consent, based on full and accurate disclosure of risks, before prescribing, dispensing, or administering medical treatment for the therapeutic purpose of relieving pain in accordance with the Oklahoma Administrative Code 435:10-7-11 where use may substantially increase the risk of death.

III. VIOLATIONS

6. Based on the foregoing, **PHIL JAMES GREEN, P.A.**, is guilty of unprofessional conduct as follows:
 - a. Is negligent in practice as a physician assistant or demonstrates professional incompetence, in violation of Okla. Admin. Code 435:15-5-11(b)(6).
 - b. Violating any provision of the Medical Practice Act (“the Act”) or the rules promulgated by the Board, in violation of Okla. Admin. Code 435:15-5-11(a)(4), specifically by violating the following subsections of the Act and rules:
 - Okla. Stat. tit. 509 §§:
 - (12) prescribing or administering a drug or treatment without sufficient examination and the establishment of a valid physician-patient relationship and not prescribing in a safe, medically accepted manner.
 - (16)(a) prescribing of controlled substances in excess of the amount considered good medical practice.
 - (18) failure to maintain an office record for each patient which accurately reflects the evaluation, treatment, and medical necessity of treatment of the patient.

- Okla. Admin. Code 435:10-7-4:
 - (1) indiscriminately or excessively prescribed controlled or narcotic drugs.
 - (2) prescribing controlled substances in excess of the amount considered good medical practice or without medical need in accordance with published standard.
 - (15) gross or repeated negligence.
 - (36) improper management of medical records.
 - (48) failing to obtain informed consent, based on full and accurate disclosure of risks, before prescribing, dispensing, or administering medical treatment for the therapeutic purpose of relieving pain in accordance with the Oklahoma Administrative Code 435:10-7-11 where use may substantially increase the risk of death.

IV. CONCLUSION

Given the foregoing, the undersigned respectfully request the Board to conduct a hearing, and upon proof of the allegation(s) contained herein, impose an appropriate punishment pursuant to the applicable law and rule on **PHIL JAMES GREEN, P.A.**, including an assessment of costs and attorneys' fees incurred in this action as provided by law.

Respectfully submitted,



Amanda R. Everett, OBA # 30107
Assistant Attorney General
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION
101 N.E. 51st Street
Oklahoma City, Oklahoma 73105
Tel. 405.962.1400
Amanda.Everett@oag.ok.gov

VERIFICATION

I, Melissa Davis, R.N., under penalty of perjury, under the laws of the State of Oklahoma, state as follows:

1. I have read the above Complaint regarding **PHIL JAMES GREEN, P.A.** and,
2. The factual statements contained therein are true and correct to the best of my knowledge and belief.



Melissa Davis, R.N., Investigator
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION

Executed this 7th day of January, 2022, in Oklahoma County, State of Oklahoma.