



7. That the survey reveals that patient J.J. received approximately 11 prescriptions from the Defendant for controlled dangerous substances in the amount of 2,440 dosage units from July 1, 1991, through December 3, 1991, for an average of 15.64 dosage units per day.

8. That the survey reveals that patient S.C. received approximately 24 prescriptions from the Defendant for 2,360 dosage units of controlled dangerous substances from June 23, 1991, through December 18, 1991, for an average of 13.18 dosage units per day.

9. That the survey reveals that patient L.M-M. received approximately 20 prescriptions from the Defendant for 1,170 dosage units of controlled dangerous substances from September 7, 1991, through December 13, 1991, for an average of 11.94 dosage units per day.

10. That all the above scheduled drugs were being prescribed by the Defendant in excess of the amount considered for the medical need presented.

11. That Defendant is perpetuating significant harm to public health, safety and welfare by continuing the acts and omissions set forth in the above allegations.

#### CONCLUSIONS OF LAW

1. That Roger L. Pickett, M.D., holding Oklahoma Medical License No. 8166, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1991, 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 Roger L. Pickett, M.D., is in violation of the Rules and Regulations promulgated by this Board, specifically Rule 435:10-7-4 (1), (2) and (6), to-wit:

"(1) Indiscriminate or excessive prescribing, dispensing or administering of controlled or narcotic drugs."

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

"(6) Dispensing, prescribing or administering a controlled substance or narcotic drug without medical need."

#### ORDER

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

1. That the Defendant, Roger L. Pickett, M.D., holding Oklahoma Medical License No. 8166, 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 June 26, 1992, under the following terms and conditions:

(a) During the period of probation Defendant may prescribe, administer or dispense 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, to include all dispensing records on controlled dangerous substances and to include all sample medication.

- (b) During the period of probation Defendant shall cease using any undated or unsigned prescriptions for controlled dangerous substances and Defendant shall be sure that all prescriptions comply with relevant Oklahoma law.
- (c) During the period of probation Defendant shall produce evidence of successful completion of at least 60 hours of continuing medical education on the issue of pain management and all continuing medical education must be approved in advance by the Medical Director of the Board.
- (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 Title 59 O.S. Sec. 506, Defendant shall promptly pay within 30 days of receipt of invoice from the Board the costs of investigation, prosecution and probation of this case, unless the Defendant affirmatively obtains a deferment of all or part of said fees upon presentation of evidence that is acceptable to the Board Secretary.
- (h) During the period of probation Defendant shall notify any hospital where he holds staff privileges, or clinic, or group where he practices, of the terms and conditions of this Board Order and supply a copy thereof.
- (i) During the period of probation the Defendant shall not supervise a Physician Assistant.
- (j) 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 until the terms and conditions of probation are modified or lifted by the Oklahoma Board of Medical Licensure and Supervision on their own motion or on the motion of the Defendant.

3. 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.

DATED this 2 day of July, 1992.

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

APPROVED AS TO FORM:  
Daniel J. Gamino  
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ATTORNEY FOR PLAINTIFF

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this 6 day of July, 1992, to:

ROGER L. PICKETT, M.D.  
c/o Steven L. Hendrickson  
Attorney at Law  
5909 NW Expressway, Suite 236  
Oklahoma City, OK 73132

Janet L Owens