

IN AND BEFORE THE STATE BOARD OF MEDICAL EXAMINERS
STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel
STATE BOARD OF MEDICAL
EXAMINERS,

Plaintiff

RECEIVED

v.

AUG 20 1984

ROGER L. KINNEY, M.D.,
Medical License No. 8626,

STATE BOARD
MEDICAL EXAMINERS

Defendant.

COMPLAINT

COMES NOW D.C. Mosshart, Inspector for the Oklahoma Board of Medical Examiners, being first duly sworn upon oath and states:

1. That Roger L. Kinney, M.D., holding Oklahoma Medical License No. 8626, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, §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. Kinney, M.D., is in violation of the Rules and Regulations promulgated by this Board, specifically Section IX, Rules 1 and 2, to-wit:

"Rule 1: Indiscriminate or excessive prescribing, dispensing or administering of controlled or narcotic drugs."

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

3. That a prescription survey conducted shows that patient received from the Defendant approximately 10 prescriptions 700 dosage units of Preludin and Dilaudid from December 19, , to May 27, 1984, a period of 160 days, for an average daily dosage unit of 4.375.

4. That a prescription survey reveals that patient M.S. received from the Defendant approximately 16 prescripions for 746 dosage units of Preludin, Tuinal, Demerol and Dilaudid from December 28, 1982, through May 25, 1984, a period of 514 days for an average daily dosage unit of 1.45.

5. That a prescription survey revealed that patient C.L. received from the Defendant approximately 8 prescriptions for 420 dosage units of Preludin, Demerol, and Tylox from November 11, 1983, through May 25, 1984, a period of 196 days for an average daily dosage unit of 2.14.

6. That a prescription survey revealed that patient E.O. received from the Defendant approximately 7 prescriptions for 320 dosage units of Demerol, Desoxyn and Tuinal from March 5, 1984, through July 25, 1984, a period of 142 days, for an average daily dosage unit of 2.25.

That a prescription survey revealed that patient R.G. received from the Defendant approximately 6 prescriptions for 460 dosage units of Preludin and Dilaudid from February 8, 1984, through June 8, 1984, a period of 121 days, for an average daily dosage unit of 3.80.

8. That a prescription survey revealed that patient T.D. received from the Defendant approximately 4 prescriptions for 400 dosage units of Dilaudid from February 8, 1984, through June 2, 1984, a period of 114 days for an average daily dosage unit of 3.50.


9. That a prescription survey revealed that patient J.B. received from the Defendant approximately 10 prescriptions for 1,000 dosage units of Dilaudid 4 mg. from December 3, 1983, through July 20, 1984, a period of 199 days, for an average daily dosage unit of 5.02.

That patient records revealed that Scheduled drugs were being prescribed in excess of the amount considered for the medical need presented.

11. That said prescriptions were written by the Defendant after he was repeatedly counseled by officers of the Tulsa Police Department concerning his prescription-writing habits.

12. That the aforementioned substances of Preludin, Dilaudid, Demerol, Tuinal, Tylox and Desoxyn are controlled, dangerous substances or narcotic drugs as defined by Oklahoma law

WHEREFORE, Complainant prays this Board to conduct a hearing and upon proof of the allegations contained herein that such disciplinary action be taken by the Board as is authorized by law.


D.C. MOSSHART, Inspector
State Board of Medical Examiners

Subscribed and sworn to before me this 20th day of August, 1984.


Notary Public

My commission expires:

June 30, 1986