

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

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

Plaintiff,)

v.)

GEORGE HAWN WEABER, M.D.,)
LICENSE NO. 8634)

Defendant.)

JAN 26 2006

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE
AND SUPERVISION

Case No. 05-11-3018

FINAL ORDER OF SUSPENSION

This cause came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the "Board") on January 26, 2006, 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 not.

The Board *en banc* after hearing arguments of counsel, reviewing the exhibits admitted and the sworn testimony of witnesses, 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 physicians and surgeons in the State of Oklahoma pursuant to 59 Okla. Stat. §480 *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, George Hawn Weaver, M.D., holds Oklahoma medical license no. 8634.

4. On or about October 19, 2005, Defendant was disciplined by the Board of Medical Examiners for the State of Montana whereby his license to practice medicine was suspended on an emergency basis based upon a finding that his continued practice represented an immediate danger to the public health, safety and welfare. Specifically, the suspension was based upon the following findings:

- a. Defendant admitted that he had written prescriptions for Adderall, Xanax, Codeine and Percocet to his adopted son, Kenneth Weaber, and that when his son filled the prescriptions for Xanax, he gave Defendant some of the drugs for his personal use.
- b. Defendant admitted that he had numerous prescription drugs in his house that were written to other people. Defendant admitted that he had used these drugs and had given them to other people for use.
- c. Defendant admitted that he had written prescriptions for his "housemate" and that this housemate may have given him some of the Tylenol #3 for Defendant's personal use.
- d. Defendant admitted that he knew his adopted son Kenneth Weaber had forged numerous prescriptions for controlled dangerous drugs using Defendant's name as the prescribing physician. Defendant did not report the fraudulent prescriptions to anyone.
- e. In the 1990s, Defendant had adopted another son, Thomas Sonju. Thomas died of a drug overdose in Defendant's house in 1999. Defendant admitted that he had prescribed codeine to Thomas, who also obtained codeine from another physician. Thomas overdosed on the codeine combined with alcohol and died. Defendant admitted that he did not document the prescriptions he had written for Thomas.
- f. Defendant admitted writing a prescription for Lovenox to Kenneth Weaber's business partner A.G. Since A.G. did not have insurance, Defendant wrote the prescription in the name of A.G.'s father, who did have insurance. However, the prescription was for A.G. and not for his father.
- g. Defendant claimed that he had medical records at his house for his housemate, Kenneth Weaber and A.G. However, a subsequent search of the house revealed no records. The search did reveal numerous prescription bottles and controlled dangerous substances in various names other than Defendant.
- h. Defendant subsequently surrendered his DEA certificate in lieu of a show cause hearing.
- i. Defendant was subsequently charged in Montana with two (2) counts of Criminal Possession of Dangerous Drugs. This matter is still pending.

5. Defendant is guilty of unprofessional conduct in that he:
 - A. Was subject to disciplinary action of another state or jurisdiction based upon acts or conduct by the licensee similar to acts or conduct that would constitute grounds for action as defined in this section pursuant to OAC 435:10-7-4(31).

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. Was subject to disciplinary action of another state or jurisdiction based upon acts or conduct by the licensee similar to acts or conduct that would constitute grounds for action as defined in this section pursuant to OAC 435:10-7-4(31).

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 Title 435:10-7-4(31).


Order

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

1. The license of Defendant, George Hawn Weaver, M.D., Oklahoma license no. 8634, is hereby **SUSPENDED INDEFINITELY** as of the date of this hearing, January 26, 2006.
2. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and costs, investigation costs, staff time, salary and travel expenses, witness fees and attorney's fees.

3. Defendant's suspended license shall not be reinstated unless Defendant has reimbursed the Board for all taxed costs and expenses incurred by the State of Oklahoma.

Dated this 26 day of January, 2006.


Dianne Gasbarra, M.D., President
Oklahoma State Board of Medical
Licensure and Supervision

CERTIFICATE OF SERVICE

I certify that on the 27 day of January, 2006, I mailed, via first class mail, postage prepaid, a true and correct copy of this Order to George Hawn Weaber, VA Medical Center, Fort Harrison, MT 59636-1003.


Janet Swindle