

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

FILED

AUG 27 2010

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

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff)

v.)

Case No. 10-08-4051

WARREN DAVID LONG, JR., M.D.,)
OKLAHOMA MEDICAL LICENSE NO. 8965,)

Defendant.)

COMPLAINT

COMES NOW the plaintiff, the State of Oklahoma ex rel. the Oklahoma State Board of Medical Licensure and Supervision (the "Board"), by and through its attorney, Elizabeth A. Scott, Assistant Attorney General, and for its Complaint against the Defendant, Warren David Long, Jr., M.D., Oklahoma medical license no. 8965, alleges and states as follows:

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. Defendant, Warren David Long, Jr., M.D., holds Oklahoma medical license no. 8965 and practiced in Shreveport, Louisiana.

3. On or about January 29, 2010, Defendant executed a **CONSENT ORDER** with the Louisiana State Board of Medical Examiners whereby he was placed on a **THREE (3) YEAR PROBATION** based upon a finding that he prescribed controlled dangerous substances without proper documentation, without a legitimate medical need, and in violation of the Louisiana Board's rules relating to treatment of Chronic Pain and Obesity. Specifically, Defendant agreed that he failed to document a thorough evaluation, he did not formulate individualized treatment plans, he did not document whether reasonable alternatives to controlled dangerous substances were attempted, he failed to document the date, quantity, dosage, frequency of administration and number of controlled dangerous substance refills that were authorized, he did not utilize drug screens, and he rarely made patient referrals. Defendant additionally agreed that he prescribed controlled dangerous substances for the treatment of obesity, he treated his

office staff with controlled dangerous substances and with minimal documentation, and he allowed his staff to sign his name or use his signature stamp on prescriptions for controlled dangerous substances. Under the Consent Order, Defendant was subjected to numerous probationary requirements, including the requirements that he obtain a practice monitor and that he obtain the written approval of the Board of his practice locations.

4. On or about March 3, 2010, Defendant submitted his Application for Renewal of Oklahoma License for the period May 2, 2010 through May 1, 2011. On his Application for Renewal, Defendant was asked the following question: "**Since 04/09/2009** Do Any of the Following Apply To You?" "Have you been investigated by or requested to appear before a licensing or disciplinary agency?" In response to this question, Defendant answered "NO". Defendant executed the Consent Order in Louisiana on January 29, 2010.

5. The Louisiana Medical Board subsequently received information that Defendant had violated his January 29, 2010 Consent Order. Based upon this violation, on or about June 2, 2010, the Louisiana Medical Board **SUSPENDED** Defendant's license to practice medicine in the State of Louisiana on an emergency basis pending a full hearing on the matter.

6. 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).
- B. Violated any provision of the medical practice act or the rules and regulations of the Board or of an action, stipulation, or agreement of the Board in violation of 59 O.S. §509(13) and OAC 435:10-7-4(39).
- C. Engaged in fraud or misrepresentation in applying for or procuring a medical license or in connection with applying for or procuring periodic reregistration of a medical license in violation of OAC 435:10-7-4(8).
- D. Used a false, fraudulent or deceptive statement in a document connected with the practice of medicine and surgery in violation of OAC 435:10-7-4(19).
- E. Failed to report to the Board any adverse action taken against him by another licensing jurisdiction (United States or foreign) for acts or conduct similar to acts or conduct that would constitute grounds for action as defined in this section in violation of OAC 435:10-7-4(32).

Conclusion

WHEREFORE, plaintiff requests that the Board conduct a hearing, and upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including the revocation or suspension of the Defendant's license to practice as a physician and surgeon in the State of Oklahoma, the assessment of costs and fees incurred in this action, and any other appropriate action with respect to Defendant's license to practice as a physician and surgeon in the State of Oklahoma.

Dated this 22nd day of August, 2010 at 8:00 a.m.

Respectfully submitted,



Elizabeth A. Scott, OBA #12470
Assistant Attorney General
State of Oklahoma
101 N.E. 51st Street
Oklahoma City, OK 73105

Attorney for the State of Oklahoma ex rel.
Oklahoma State Board of Medical
Licensure and Supervision