

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

FILED

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

NOV 10 2010

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff,)

v.)

Case No. 10-08-4051

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

Defendant.)

FINAL ORDER OF SUSPENSION

This cause came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the "Board") on November 4, 2010, at the office of the Board, 101 N.W. 51st Street, 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 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.* 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.

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).

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).
- 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).

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 59 O.S. §509(13) and OAC Title 435:10-7-4(8), (19), (31), (32) and (39).

Order

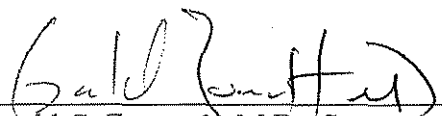
IT IS THEREFORE ORDERED by the Oklahoma State Board of Medical Licensure and Supervision as follows:

1. The license of Defendant, Warren David Long, Jr., M.D., Oklahoma license no. 8965, is hereby **SUSPENDED INDEFINITELY** as of the date of this hearing, November 4, 2010. Defendant's license shall remain suspended until his Louisiana medical license is reinstated, at which time he may appear before the Oklahoma State Board of Medical Licensure and Supervision to request reinstatement of his Oklahoma medical license.

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 10 day of November, 2010.


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

CERTIFICATE OF SERVICE

I certify that on the 10 day of November, 2010, I mailed, via first class mail, postage prepaid, a true and correct copy of this Order to Warren David Long, Jr., 2625 Line Avenue, Suite 155, Shreveport, LA 71104.


Janet Swindle