

IN AND BEFORE THE STATE BOARD OF MEDICAL EXAMINERS

STATE OF OKLAHOMA

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

Plaintiff,

v.

F. ROLLIN BLAND, M.D.,
Medical License No. 9084,

Defendant.

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STATE BOARD
MEDICAL EXAMINERS

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Examiners en banc on September 27, 1985, at 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Daniel J. Gamino, Attorney, appeared for the Plaintiff and the Defendant appeared in person without counsel.

The Board of Medical Examiners en banc heard the testimony, reviewed exhibits and being fully advised in the premises, the Board of Medical Examiners therefore finds as follows:

FINDINGS OF FACT

1. That F. Rollin Bland, M.D., holds Oklahoma Medical License No. 9084.

2. That the Board of Medical Examiners en banc has jurisdiction over the subject matter herein and that notice has been given in all respects as required by law and the rules of the Board.

3. That on or around March 20, 1985, and May 9, 1985, Defendant did allow non-physicians to prescribe controlled dangerous substances and non-controlled substances to Defendant's patients.

4. That from January 1, 1985, through June 12, 1985, Defendant wrote approximately 132 prescriptions for Schedule II drugs in a total amount of 6,846 dosage units and in the same period of time from January 1, 1985, through June 12, 1985, Defendant wrote a total of approximately 924 prescriptions for Schedule III, IV and V drugs in the total number of dosage units of 52,083.

5. That a prescription survey conducted in reference to certain scheduled drugs reveals that patient L.F. received approximately 15 prescriptions and refills for 1,014 dosage units of scheduled drugs from January 16, 1985, through June 5, 1985, for an average of 7.19 dosage units per day of Valium and Fiorinal.

6. That the survey reveals that patient K.W. received 17 prescriptions and refills for a total of 648 dosage units plus 240 ml of Ru-Tuss of scheduled drugs from January 9, 1985, through June 10, 1985, for an average of 4.23 dosage units per day of Dalmane, Valium, Fiorinal, and Ionamin.

7. That the survey reveals that patient T.E. received 18 prescriptions and refills for a total of 1,178 dosage units of

scheduled drugs from January 3, 1985, through May 20, 1985, for an average of 5.59 dosage units per day of Fiorinal #3, Fastin, Centrax, Isollyl, and Ativan.

8. That the survey reveals that patient M.W. received approximately 11 prescriptions and refills for a total of 867 dosage units of scheduled drugs from March 19, 1985, through May 28, 1985, for an average of 12.21 dosage units per day of T-Gesic, Ativan, Limbitrol, Fiorinal #3, Xanax, and Butalbital A-C.

9. That the survey reveals that patient J.L. received approximately 15 prescriptions for a total of 1,145 dosage units of scheduled drugs from March 8, 1985, through May 17, 1985, for an average of 16.12 dosage units per day of Percodan, Tuinal, Valium, and Val Hycodaphen.

10. That patient records reveal that scheduled drugs were being prescribed in excess of the amount considered good medical practice for the medical need presented.

CONCLUSIONS OF LAW

1. That F. Rollin Bland, M.D., holding Oklahoma Medical License No. 9084, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, §509, Paragraphs 15 and 17, to-wit:

"15. Aiding or abetting, directly or indirectly, the practice of medicine by any person not duly authorized under the laws of Oklahoma."

"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 F. Rollin Bland, M.D., is in violation of the Rules and Regulations promulgated by this Board, specifically Section IX, Rules 1, 2, 6, and 7, 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."

"Rule 6. Dispensing, prescribing or administering a Controlled substance or Narcotic drug without medical need."

"Rule 7. The delegation of authority to another person for the signing of prescriptions for either controlled or non-controlled drugs."


ORDER

IT IS THEREFORE ORDERED by the Board of Medical Examiners of Oklahoma as follows:

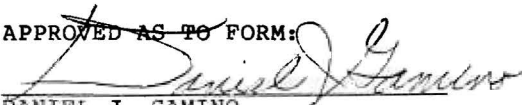
1. That the Defendant, F. Rollin Bland, M.D., License No. 9084, be and is hereby placed on probation to the Oklahoma State Board of Medical Examiners for a period of three years beginning on October 1, 1985, under the following terms and conditions:

- a. During the period of probation Dr. Bland will keep duplicate, serially-numbered prescriptions for all controlled dangerous substances prescribed and shall make such records available to any inspector for the Oklahoma State Board of Medical Examiners.
- b. During the period of probation Dr. Bland will furnish to the office of the State Board of Medical Examiners all current legal addresses and any change of address in writing.
- c. That Dr. Bland shall appear before this Board or designated member thereof whenever requested to do so.

DATED this 21st day of October, 1985.


MARK R. JOHNSON, M.D., Secretary
State Board of Medical Examiners

APPROVED AS TO FORM:


DANIEL J. GAMINO
Daniel J. Gamino & Associates, P.C.
3315 NW 63
Oklahoma City, OK 73116
(405) 840-3741
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF MAILING

I hereby certify that on the 22nd day of October, 1985, I deposited in the U.S. Mails, postage prepaid, a true and correct copy of the above and foregoing Final Order addressed to:

F. Rollin Bland, M.D.
700 S. Main
Grove, OK 74344

