

6. That during calendar year 1988, Defendant failed to keep complete and accurate records of the purchase and disposal of controlled drugs, and on numerous occasions prescribed or administered a drug without sufficient examination and the establishment of a valid physician-patient relationship, and prescribed, administered, or dispensed controlled substances or narcotic drugs in excess of the amount considered good medical practice and without medical need.

CONCLUSIONS OF LAW

1. That Stanley J. Dombek, Jr., M.D., holding Oklahoma Medical License No. 9647, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, Sec. 509, Paragraphs 8, 10, 11, 12, 13, 14, and 17, to-wit:

"8. Conviction or confession of a crime involving the violation of the anti-narcotic or prohibition laws and regulations of the Federal government or the Board of Health laws and regulations of the State of Oklahoma."

"10. The commission of any act which is a violation of the criminal laws of Oklahoma when such act is connected with the physician's practice of medicine. A complaint, indictment or confession of a criminal violation shall not be necessary for the enforcement of this provision. Proof of the commission of the act while in the practice of medicine or under the guise of the practice of medicine shall be unprofessional conduct."

"11. Failure to keep complete and accurate records of purchase and disposal of controlled drugs or of narcotic drugs."

"12. "The writing of false or fictitious prescriptions for any drugs or narcotics declared by the laws of Oklahoma to be controlled or narcotic drugs."

"13. "Prescribe or administer a drug or treatment without sufficient examination and the establishment of a valid physician-patient relationship."

"14. "The violation, or attempted violation, direct or indirect, of any of the provisions of this Act, either as a principal, accessory or accomplice."

"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 Stanley J. Dombek, Jr., M.D., is in violation of the Rules and Regulations promulgated by this Board, specifically Section IX, Rules 1, 2, and 6, 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."

ORDER

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

1. That the Defendant, Stanley J. Dombek, Jr., M.D., Oklahoma Medical License No. 9647, should be and is hereby placed on probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of three (3) years, beginning June 9, 1989, under the following terms and conditions:

- (a) During the period of probation Defendant may prescribe, administer and dispense controlled dangerous substances only on serially-numbered, duplicate prescription pads and Defendant shall make the copies available to the Investigators of the Oklahoma State Board of Medical Licensure and Supervision at their request, to include all dispensing records on controlled dangerous substances other than sample medication.
- (b) During the period of probation Defendant will take no medication except that which is authorized by a physician treating him for a legitimate medical need and Defendant shall have an affirmative duty to inform any physician treating him of Defendant's complete medical history.
- (c) During the period of probation Defendant will abstain from consuming alcohol or any substance, specifically including, but not limited to, controlled dangerous substances, which would adversely affect his ability to practice medicine and surgery as interpreted by the Oklahoma State Board of Medical Licensure and Supervision.
- (d) During the period of probation Defendant will submit biological fluid specimens to include, but not limited to, blood and urine, for analysis, upon request of any investigator or other agent representing the Oklahoma State Board of Medical Licensure and Supervision, and Defendant will pay for testing and analysis of those specimens.
- (e) During the period of probation Defendant will furnish to the office of the Oklahoma State Board of Medical Licensure and Supervision all current legal addresses and any change of address in writing.
- (f) Defendant shall appear before the Board en banc or a designated member thereof whenever requested to do so.
- (g) During the period of probation Defendant will submit to the Investigative Division

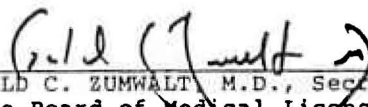
of the Oklahoma State Board of Medical Licensure and Supervision any required reports and forms on a timely and prompt basis.

- (h) Pursuant to Section 26, H.B. 1478, 1987 Legislature, Defendant shall promptly pay upon receipt of invoice from the Investigative Division of the Board the costs of investigation, prosecution and probation of this case.
- (i) That violation of any the terms and conditions of probation shall be grounds for additional charges to be presented to the Board after notice to the Defendant.
- (j) During the period of probation Defendant will not prescribe, administer or dispense any medication for his personal use or for his family's use, to specifically include, but not be limited to, controlled dangerous substances.
- (k) During the period of probation Defendant shall notify any hospital where he holds staff privileges or clinic or group where he practices of the terms and conditions of this Board Order and supply a copy thereof.


2. That the jurisdiction of the Board in this individual proceeding will continue in this matter until the terms and conditions of probation are modified or lifted by the Oklahoma State Board of Medical Licensure and Supervision on their own motion, or on the motion of the Defendant.


3. The Defendant further agrees that failure to meet any of the above terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke Defendant's Oklahoma Medical License, after additional due notice and hearing.

DATED this 14 day of ^{August} ~~June~~, 1989.


GERALD C. ZUMWALT, M.D., Secretary
State Board of Medical Licensure
and Supervision

APPROVED AS TO FORM:


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ATTORNEY FOR DEFENDANT

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this 14 day of ~~June~~^{August}, 1989, to:

MACK K. MARTIN
Attorney at Law
Suite 360, Robinson Renaissance
119 N. Robinson
Oklahoma City, OK 73102

Janet L. Owens