

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

FILED

AUG 18 2004

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

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff,)

v.)

Case No. 04-03-2778

STANLEY JOSEPH DOMBEK, M.D.,)
LICENSE NO. 9647,)

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, Stanley Joseph Dombek, M.D., 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, Stanley Joseph Dombek, M.D., holds Oklahoma license no. 9647.

3. On or about June 9, 1989, Defendant was placed on **PROBATION** for a period of three (3) years by the Board based upon a finding that he had illegally written false prescriptions in the names of persons who did not receive the medications, but instead he administered the medications to his spouse, and that he had written prescriptions for controlled dangerous substances without a sufficient physical examination and the establishment of a legitimate physician patient relationship.

4. On or about February 11, 2004, Defendant was involved in an automobile accident, at which time he was admitted to the University of Oklahoma Medical Center for treatment. As part of his treatment, a drug test was performed on February 11, 2004, which subsequently tested positive for Cocaine and Valium. Defendant has admitted that he did not obtain the Valium through a legitimate prescription, but obtained it from a known drug user, who had illegally obtained it.

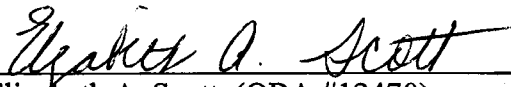
5. Defendant is guilty of unprofessional conduct in that he:
- A. Habitually uses habit-forming drugs in violation 59 O.S. 407 §509(4) and OAC 435:10-7-4(3).
 - B. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public in violation of 59 O.S. §509(8) and OAC 435:10-7-4(11).
 - C. 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).
 - D. Is unable to practice medicine with reasonable skill and safety to patients by reason of age, illness, drunkenness, excessive use of drugs, narcotics, chemicals or any other type of material or as a result of any mental or physician condition in violation of 59 O.S. §509(15) and OAC 435:10-7-4(40).
 - E. Purchased or prescribed a regulated substance in Schedules I through V for the physician's personal use in violation of OAC 435:10-7-4(5).
 - F. Prescribed, sold, administered, distributed, ordered or gave a drug legally classified as a controlled substance or recognized as an addictive dangerous drug to a family member or to himself or herself in violation of OAC 435:10-7-4(26).
 - G. Prescribed, sold, administered, distributed, ordered or gave any drug legally classified as a controlled substance or recognized as an addictive or dangerous drug for other than medically accepted therapeutic purposes in violation of OAC 435:10-7-4(24).
 - H. Prescribed, dispensed or administered a controlled substance or narcotic drugs in excess of the amount considered good medical practice, or prescribed, dispensed or administered controlled substances or narcotic drugs without medical need in accordance with published standards in violation of 59 O.S. §509(16) and OAC 435:10-7-4(2) and (6).
 - I. Violated a state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).

J. Confessed to a crime involving the violation of the antinarcotics or prohibition laws and regulations of the federal government and the laws of this state in violation of 59 O.S. §509(7).

Conclusion

WHEREFORE, the Plaintiff respectfully 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 suspension or revocation and any other appropriate action with respect to Defendant's medical license, and an assessment of costs and attorney's fees incurred in this action as provided by law.

Respectfully submitted,



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