

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

STATE OF OKLAHOMA, *ex rel.*,)
OKLAHOMA STATE BOARD OF)
MEDICAL LICENSURE AND SUPERVISION,)

Plaintiff,)

v.)

DAVID G. CALENZANI, M.D.,)
LICENSE NO. MD14817)

Defendant.)

Case No. 18-06-5633

FILED
DEC 12 2019
OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

VERIFIED COMPLAINT

The State of Oklahoma, ex rel., Oklahoma State Board of Medical Licensure and Supervision (“Board”), alleges and states as follows for its Complaint against David G. Calenzani, M.D. (“Defendant”):

1. JURISDICTION

1. The Board has jurisdiction over the subject matter and 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. 59 O.S. § 480, *et seq.* and Okla. Admin. Code 435:5-1-1 *et seq.*
2. In Oklahoma, Defendant holds Medical License No. 14817.
3. The acts and omissions complained of herein were made while Defendant was acting as a physician pursuant to the license conferred upon him by the State of Oklahoma. Such acts and omissions occurred within the physical territory of the State of Oklahoma.

II. ALLEGATIONS OF UNPROFESSIONAL CONDUCT

4. This case was initiated as a result of concerns after receiving complaints about the treatment practices of the Defendant, David G. Calenzani, MD., in the use of high dose benzodiazepines for patients that have a history of drug abuse. Investigator Larry Carter, reviewed the Defendant's prescribing record and identified patients who were receiving abnormally high doses and/or unusual combinations of Controlled Dangerous Substances (CDS) from Dr. Calenzani.
5. A subpoena was served for seven patient records to a female that worked in the Defendant's office named Monica. These records were sent to Heather Hall, M.D. for expert review.
6. Dr. Hall found the following trends throughout the patient records obtained:
 - a. There is a lack of documentation of safety assessments for overdose or risk of death by the combination of opioids and benzodiazepines and a lack of documentation to support the medications prescribed;
 - b. There is generally, throughout most of the charts, very little in the way of chart documentation regarding why things were being done and justification behind the treatment and prescribing;
 - c. Red flags such as repeated lost medications, requests for early refills, a DUI arrest were not documented as addressed by the Defendant;
 - d. There is very little increase in documented monitoring when red flag behavior was identified or CDS dosages were increased;

- e. There is no documentation that indicates urine drug screens, or pill counts conducted when dosages were high or there was evidence of behavior consistent with diversion or abuse;
- f. There is no documentation of any diagnostic studies being performed, consultations with medical specialists or alternative therapies ordered;
- g. Large amounts of pain management CDS and opioid drugs being prescribed by a psychiatrist operating outside the scope of the practice of psychiatry rather than a pain management specialist; and
- h. Defendant often failed to document informed consent or pain management contracts and there was little evidence of consultations discussing risk, benefit or side effects of medications with the patient.

III. HISTORY AT THE BOARD

- 1. Dr. David Calenzani has no disciplinary history with the Board.

IV. VIOLATIONS

- 7. Based on the foregoing, Defendant is guilty of unprofessional conduct as follows:
 - a. 13. The violation, or attempted violation, direct or indirect, of any of the provisions of the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act, either as a principal, accessory or accomplice; Title 59 O.S. § 13;
 - b. Prescribing, dispensing or administering of controlled substances or narcotic drugs in excess of the amount considered good medical practice, prescribing, dispensing or administering controlled substances or narcotic drugs without

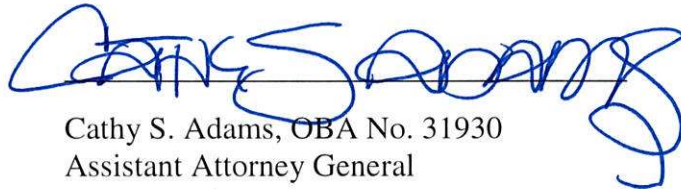
- medical need in accordance with pertinent licensing board standards. Title 59 O.S. § 16 (a) and (b);
- c. Failure to maintain an office record for each patient which accurately reflects the evaluation, treatment, and medical necessity of treatment of the patient. Title 59 O.S. § 509(18);
 - d. Prescribing, 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 standard. OAC 435:10-7-4(2)
 - e. Dispensing, prescribing or administering a Controlled substance or Narcotic drug without medical need. OAC 435:10-7-4(6)
 - f. Improper management of medical records. OAC 435:10-7-4(36)
 - g. Violation of any provision(s) of the medical practice act or the rules and regulations of the Board or of an action, stipulation, or agreement of the Board. OAC 435:10-7-4(39); and
 - h. Failing to obtain informed consent, based on full and accurate disclosure of risks, before prescribing, dispensing, or administering medical treatment for the therapeutic purpose of relieving pain in accordance with Oklahoma Administrative Code 435:10-7-11 where use may substantially increase the risk of death.

IV. CONCLUSION

Given the foregoing, the undersigned respectfully requests 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 professional license, including an assessment of costs and attorney's fees incurred in this action as provided by law.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Cathy S. Adams', written over a horizontal line.

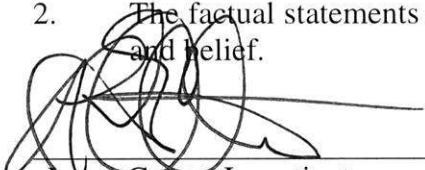
Cathy S. Adams, OBA No. 31930
Assistant Attorney General
313 NE 21st Street
Oklahoma City, Oklahoma 73105
405/522-0072

FOR: OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION

VERIFICATION

I, Larry Carter, under penalty of perjury, under the laws of the State of Oklahoma, state as follows:

1. I have read the above Complaint regarding DAVID G. CALENZANI, M.D., Defendant; and
2. The factual statements contained therein are true and correct to the best of my knowledge and belief.



Larry Carter, Investigator
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION

Date: 12 Dec 2019



Oklahoma County
County, State of Execution