



# Oklahoma State Board of Osteopathic Examiners

## BOARD MEMBERS

DENNIS J. CARTER, D.O.  
PRESIDENT  
POTEAU

KATIE TEMPLETON, J.D.  
VICE PRESIDENT  
OKLAHOMA CITY

BRET LANGERMAN, D.O.  
SECRETARY-TREASURER  
MUSTANG

LEROY E. YOUNG, D.O.  
OKLAHOMA CITY

JAY D. CUNNINGHAM, D.O.  
OKLAHOMA CITY

CARL B. PETTIGREW, D.O.  
OKLAHOMA CITY

CATHERINE C. TAYLOR, J.D.  
TULSA

DUANE KOEHLER, D.O.  
TULSA

September 24, 2020

## VIA HAND-DELIVERY

The Honorable J. Kevin Stitt  
Governor, State of Oklahoma  
The Oklahoma State Capitol  
2300 N. Lincoln Blvd., Ste. 212  
Oklahoma City, OK 73105

Re: Administrative Rules Report Pursuant to  
Executive Order 2020-03

Dear Governor Stitt:

By way of introduction, my name is Michael Leake, and I am the Executive Director of the State Board of Osteopathic Examiners. I am writing in response to your Executive Order 2020-03 that was filed on or about February 3, 2020. Enclosed you will find a copy of our agency's Administrative Rules Report.

Should you or your staff have any questions, please do not hesitate to contact me. Our office looks forward to working with you in reducing regulatory burdens and making the Oklahoma's Administrative Code more accountable, transparent, and efficient. Thank you for your hard work in this regard.

By copy to the President Pro Tempore of the Oklahoma Senate and the Speaker of the Oklahoma House of Representatives, we are providing the leaders a copy of our agency's Administrative Rules Report.

Very truly yours,

OKLAHOMA STATE BOARD OF  
OSTEOPATHIC EXAMINERS

  
Michael T. Leake Jr., J.D.

MTL/  
Enclosure

CC: **VIA HAND-DELIVERY**

The Honorable Charles A. McCall  
Speaker of the House  
Oklahoma House of Representatives  
The Oklahoma State Capitol  
2300 N. Lincoln Blvd., Rm. 401  
Oklahoma City, OK 73105

**VIA HAND-DELIVERY**

The Honorable Greg Treat  
President Pro Tempore  
Oklahoma Senate  
The Oklahoma State Capitol  
2300 N. Lincoln Blvd., Rm. 422  
Oklahoma City, OK 73105

**VIA EMAIL [Kevin.Corbett@okhca.org](mailto:Kevin.Corbett@okhca.org)**

The Honorable Kevin Corbett  
Secretary of Health & Mental Health  
Oklahoma Health Care Authority  
4345 N. Lincoln Blvd.  
Oklahoma City, OK 73105

**VIA EMAIL [Ellen.Buettner@okhca.org](mailto:Ellen.Buettner@okhca.org)**

Ms. Ellen Buettner  
Chief of Staff  
Oklahoma Health Care Authority  
4345 N. Lincoln Blvd.  
Oklahoma City, OK 73105

*Oklahoma State Board of Osteopathic Examiners*

**Administrative Rules Report – Executive Order 2020-03**

Comprehensive Review of Administrative Rules as of September 24, 2020

Report Submitted by: Michael T. Leake Jr., J.D.

Title: Executive Director

Email: mleake@osboe.ok.gov

Phone: 405/528-8625

**Method Used to Conduct Review:** OSBOE’s Executive Director, Michael T. Leake Jr., J.D., reviewed the agency’s rules to identify any unnecessary, costly, ineffective, duplicative, and outdated sections. The Executive Director also indicated each rule that was considered “necessary” and in which “no changes” were recommended. Any rule that was considered “duplicative” because it was already in statute will include the citation to the relevant Oklahoma statute.

**TOTAL NUMBER OF UNNECESSARY, COSTLY, INEFFECTIVE, DUPLICATIVE OR OUTDATED REGULATIONS: 22**

**Title 510. State Board of Osteopathic Examiners**

Chapter 1

Subchapter 1. General Provisions

Section	Title	Date Created	No Change	Ineffective	Duplicate	Location of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
1-1-1	Purpose	6-27-96	X					X	
1-1-2	Board Origin (REVOKED)	6-27-96					X		
1-1-3	Composition of Board	6-27-96					X		Provided for in statute - § 624
1-1-4	Powers and duties of Board (REVOKED)	6-27-96					X		
1-1-5	Definitions	6-27-96	X					X	

Chapter 1

Subchapter 3. General Course and Method of Operations

Section	Title	Date Created	No Change	Ineffective	Duplicate	Location of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
1-3-1	Office location	6-27-96	X					X	
1-3-2	Office hours	6-27-96	X					X	
1-3-3	Communications with the Board	6-27-96	X					X	
1-3-4	Board Meetings	6-27-96	X					X	
1-3-5	Public access to records	6-27-96	X					X	
1-3-6	Certifications of records	6-27-96	X					X	
1-3-7	Board compensation	6-27-96					X		Repeats statute 59 O.S. § 624(c)
1-3-8	Investigations	6-27-96	X					X	
1-3-9	Officers duties designed	6-27-96	X					X	

Chapter 1

Subchapter 5. Individual Proceedings

Section	Title	Date Created	No Change	Ineffective	Duplicate	Location of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
1-5-1	Initiation of individual proceedings, complaint, and citation	6-27-96	X					X	
1-5-1.1	Definitions	6-27-96						X	
1-5-2	Citation (REVOKED)	6-27-96					X		
1-5-3	Service	6-27-96	X					X	
1-5-4	Hearing date, continuance, or extension of time	6-27-96	X					X	
1-5-5	Written answer, extension of time	6-27-96	X					X	

1-5-6	Prehearing procedures	6-27-96				X			If we move subsection (b) to 510:1-5-4(c)
1-5-6.1	Hearing procedures	6-27-96	X					X	
1-5-7	Respondent's failure to appear	6-27-96	X					X	
1-5-8	Subpoena of witnesses, evidence or records for hearing	6-27-96			X	75 O.S. § 309	X		Don't need this because it is already provided for in APA statute and Osteopathic Medicine Act.
1-5-9	Hearing Records	6-27-96			X	75 O.S. § 309	X		Already in statute.
1-5-10	Final Orders	6-27-96			X	See 75 O.S. § 312	X		
1-5-10.1	Terms and conditions of probation	6-27-96			X	59 O.S. § 637.1	X		
1-5-11	Petition for rehearing	6-27-96			X	75 O.S. § 317	X		
1-5-12	Assessment of costs	6-27-96			X	59 O.S. § 637.1	X		

Chapter 1

Subchapter 7. Rulemaking Procedures

Section	Title	Date Created	No Change	Ineffective	Duplicate	Location of Duplication	Outdated/Unnecessary	Necessary	Explanation of determined category
1-7-1	Opportunity for public input on proposed rules	6-27-96		X	X	75 O.S. § 303	X		
1-7-2	Petition for rulemaking	6-27-96	X					X	Necessary per 75 O.S. § 305.
1-7-2.1	Board Consideration	6-27-96					X		Move to 510: 1-7-2(b)
1-7-3	Notice and hearing requirements	6-27-96			X	75 O.S. § 303			

1-7-4	Emergency rules	6-27-96			X	75 O.S. § 275(J)		
-------	-----------------	---------	--	--	---	------------------	--	--

Chapter 1

Subchapter 9. Forms

Section	Title	Date Created	No Change	Ineffective	Duplicate	Location of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
1-9-1	Forms approved by the Board	6-27-96	X					X	

Chapter 1

Subchapter 11. Interpretation of Rules

Section	Title	Date Created	No Change	Ineffective	Duplicate	Location of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
1-11-1	Adoption of rules; fair and impartial construction	6-27-96	X					X	
1-11-2	Validity of rules; separate construction	6-27-96	X					X	

Chapter 1

Subchapter 13. Declaratory Rulings

Section	Title	Date Created	No Change	Ineffective	Duplicate	Location of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
1-13-1	Persons who may seek a declaratory ruling	6-27-96		X	X	75 O.S. § 306	X		
1-13-2	Contents of petition	6-27-96		X	X	75 O.S. § 306	X		
1-13-3	Information to be furnished	6-27-96		X	X	75 O.S. § 306	X		

1-13-4	Board consideration	6-27-96		X	X	75 O.S. § 306	X	
1-13-5	Notice	6-27-96		X	X	75 O.S. § 306	X	
1-13-6	Board action	6-27-96		X	X	75 O.S. § 306		

Chapter 5

Subchapter 1. General Provisions

Section	Title	Date Created	No Change	Ineffective	Duplicate	Location of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
5-1-1	Purpose	6-27-96	X					X	

Chapter 5

Subchapter 3. Dispensing Dangerous Drugs

Section	Title	Date Created	No Change	Ineffective	Duplicate	Location of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
5-3-1	Purpose	6-27-96	X					X	
5-3-2	Definitions	6-27-96	X					X	
5-3-3	Restriction on dispensing dangerous drugs; packaging and labeling	6-27-96; amended 9-11-16	X					X	
5-3-4	Record keeping	6-27-96; amended 9-11-16	X					X	
5-3-5	Annual registration	6-27-96; amended 9-11-16	X					X	
5-3-6	Dispensing professional samples	6-27-96	X					X	
5-3-7	Violations	6-27-96	X					X	

5-3-8	Exemptions	6-27-96	X						X	
-------	------------	---------	---	--	--	--	--	--	---	--

Chapter 5

Subchapter 5. Disposal of Human Tissue

Section	Title	Date Created	No Change	Ineffective	Duplicate	Location of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
5-5-1	Purpose	6-27-96	X					X	
5-5-2	Definitions	6-27-96	X					X	
5-5-3	Method of disposal	6-27-96	X					X	
5-5-4	Violations	6-27-96	X					X	
5-5-5	Compliance	6-27-96	X					X	

Chapter 5

Subchapter 7. Unprofessional Conduct Relating to Prescribing or Dispensing Dangerous

Section	Title	Date Created	No Change	Ineffective	Duplicate	Location of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
5-7-1	Unprofessional conduct relating to prescribing or dispensing dangerous drugs	6-27-96	X					X	

Chapter 5

Subchapter 9. Prescribing for Chronic Pain

Section	Title	Date Created	No Change	Ineffective	Duplicate	Location of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
5-9-1	Purpose	6-25-99; amended 9-11-16	X					X	
5-9-2	Guidelines and requirements	6-25-99	X					X	
5-9-3	Violations	6-25-99	X					X	



Chapter 5

Subchapter 11. Medical Micropigmentation

Section	Title	Date Created	No Change	Ineffective	Duplicate	Location of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
5-11-1	Purpose	9-13-02	X					X	
5-11-2	Definitions	9-13-02	X					X	
5-11-3	Duties and responsibilities	9-13-02	X					X	

Chapter 5

Subchapter 13. Advertising Board Certification

Section	Title	Date Created	No Change	Ineffective	Duplicate	Location of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
5-13-1	Requirements of Representation	9-12-03	X					X	
5-13-2	Requirements of Certifying Organizations	9-12-03	X					X	
5-13-3	Renewal	9-12-03	X					X	
5-13-4	Prohibited Terms	9-12-03	X					X	

Chapter 10

Subchapter 1. General Provisions

Section	Title	Date Created	No Change	Ineffective	Duplicate	Location of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
10-1-1	Purpose	6-27-96	X					X	

Chapter 10

Subchapter 3. Licensure Requirements

Section	Title	Date Created	No Change	Ineffective	Duplicate	Location of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
10-3-1	General Licensure Requirements	6-27-94; amended	X					X	

		6-27-96, 7-27-00, 9-11-16										
10-3-2	Application for License		X							X		
10-3-3	License by examination	6-27-94; amended 9-11-16	X							X		
10-3-4	License by endorsement	6-27-94; amended 9-11-16	X							X		
10-3-5	Other criteria	6-27-96	X							X		
10-3-6	Display of license	6-27-94	X							X		
10-3-7	Duplicate license	6-27-94	X							X		
10-3-8	Annual registration	6-27-94; amended 6-27-96, 7-27-00, 9-11-16	X							X		
10-3-9	Degree Designation	6-27-96	X							X		
10-3-10	Change of address	9-11-16	X							X		

Chapter 10

Subchapter 4. Osteopathic Supervision of Mid-Level Practitioners

Section	Title	Date Created	No Change	Ineffective	Duplicate	Location of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
10-4-1	Purpose	6-25-98; amended 9-11-16	X					X	
10-4-2	Definitions	6-25-98; amended 9-11-16	X					X	

10-4-3	Responsibility of the supervising osteopathic physician	6-25-98; amended 9-11-16	X							X	
--------	---	--------------------------	---	--	--	--	--	--	--	---	--

Chapter 10

Subchapter 7. Fee Schedule

Section	Title	Date Created	No Change	Ineffective	Duplicate	Location of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
10-7-1	Fees for licensure	6-27-96; amended 7-27-00, 6-25-06, 9-11-16	X					X	