

**OKLAHOMA STATE BOARD OF OSTEOPATHIC EXAMINERS**

**SPECIAL MEETING MINUTES**

**December 10, 2014**

**DATE OF MEETING** December 10, 2014

**PLACE OF MEETING** Oklahoma Osteopathic Board Offices  
4848 N. Lincoln  
Oklahoma City, OK 73105

**MEMBERS PRESENT**

Dennis Carter, D.O.  
Jay D. Cunningham, D.O.  
Gordon Laird, D.O.  
C. Michael Ogle, D.O.  
Carl B. Pettigrew, D.O.  
Catherine Taylor, J.D.  
Katie Templeton, J.D.  
LeRoy E. Young, D.O.

**MEMBERS ABSENT**

**ALSO PRESENT**

Christi Aquino, *Board of Osteopathic Examiners*  
Deborah J. Bruce, J.D., *Board of Osteopathic Examiners*  
Jaclyn Cosgrove, *the Oklahoman*  
Brittney Covert, *Board of Osteopathic Examiners*  
Susan Fennimore, *DNR Reporting*  
B. Baker Fore, D.O.  
Daniel Gamino, *General Counsel for the Board*  
Marie Kadavy, OOA  
Sandra Lavenue, OBNDD  
Lynette McLain, OOA  
Richard A. Mildren, *Board Prosecuting Attorney*  
David Moon, D.O.  
Alex Oblein, *Board of Osteopathic Examiners*  
Thomas R. Pickard, D.O.  
Jim Priest, J.D.  
Rodney Turner, *Board of Osteopathic Examiners*  
Tristan Walker, *Board of Osteopathic Examiners*  
Richard L. Zimmer, *Board of Osteopathic Examiners*

**PRESIDING** Carl B. Pettigrew, D.O., *President*

**1. CALL TO ORDER, QUORUM ESTABLISHED**

Carl B. Pettigrew, D.O., President, called the meeting to order at 1:30 p.m. and announced a quorum was established. All Board Members were in attendance.

Dr. Pettigrew announced he was delegating the presiding duties to General Counsel Daniel Gamino.

## 2. HEARING

**David Moon D.O.**

Case No. 0413-43

Dr. Pettigrew recognized Richard Mildren, Prosecuting Attorney for the Board. Mr. Mildren submitted the Amended Complaint against Dr. Moon and asked the Board to strike Paragraph 6 from it. Dr. Moon appeared in person with one of his attorneys, Jim Priest. Mr. Gamino swore in all witnesses. The Hearing proceeded. The Amended Complaint and sixteen Exhibits were admitted into evidence. Chief Investigator, Richard Zimmer, Dr. Thomas Pickard and Dr. Baker Fore testified for the Agency. One Exhibit was entered on behalf of the Respondent and he testified on his behalf.

The Hearing concluded.

Dr. Ogle moved to go into Executive Session.  
Ms. Taylor seconded the motion.

Dr. Pettigrew called for a roll call vote on the motion.

The roll call/votes were: Dr. Carter, yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes, Dr. Young, yes.

The Motion passed. All visitors, staff and guests left the hearing room.

Visitors, staff and guests re-entered the hearing room.

Dr. Ogle moved to come out of Executive Session.  
Ms. Taylor seconded the motion.

Dr. Pettigrew called for a roll call vote on the motion.

The roll call/votes were: Dr. Carter, yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes, Dr. Young, yes.

The Motion passed.

Ms. Taylor moved that having stricken Paragraph 6, all other allegations in the Amended Complaint had been proven by clear and convincing evidence.  
Dr. Young seconded the motion.

Dr. Pettigrew called for a roll call vote on the motion.

The roll call/votes were: Dr. Carter, yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes, Dr. Young, yes.

The Motion passed.

Dr. Ogle moved that Dr. Moon be placed on three (3) years probation with terms and conditions to include an assessment for substance abuse, CME, proctoring, quarterly reports, and requirements from the Nevada Osteopathic Board and the Oklahoma Bureau of Narcotics and Dangerous Drugs also imposed.

Ms. Taylor seconded the motion.

Dr. Pettigrew called for a roll call vote on the motion.

The roll call/votes were: Dr. Carter, yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes, Dr. Young, yes.

The Motion passed.

### **3. NEW BUSINESS**

Ms. Bruce submitted copies of the proposed Interstate Licensure Compact. Discussion and questions followed.

Dr. Ogle moved that the Oklahoma Osteopathic Board of Examiners join the Interstate Licensure Compact.

Dr. Laird seconded the motion.

Dr. Pettigrew called for a roll call vote on the motion.

The roll call/votes were: Dr. Carter, no; Dr. Cunningham, no; Dr. Laird, yes; Dr. Ogle, yes; Dr. Pettigrew, no; Ms. Taylor, yes; Ms. Templeton, yes, Dr. Young, yes.

The Motion passed.

### **4. OLD BUSINESS**

1. A Committee Report on Telemedicine Guidelines was tabled until the next meeting.

2. A Report on Formulary for CDS Prescribing was tabled until the next meeting.

3. The Board considered imposing a CME requirement on proper prescribing prior to licensure.

Dr. Young moved to approve the Oklahoma Osteopathic Board of Examiners impose a 4-6 hour CME requirement on proper prescribing prior to licensure. The program is to be designed by the Board and administered by the OOA.

Dr. Carter seconded the motion.

Dr. Pettigrew called for a roll call vote on the motion.

The roll call/votes were: Dr. Carter, yes; Dr. Cunningham, abs; Dr. Laird, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs, Dr. Young, yes.

The Motion passed.

**5. ADJOURNMENT**

Dr. Ogle moved to adjourn the meeting.  
Dr. Young seconded the motion.

Dr. Pettigrew called for a roll call vote on the motion.

The roll call/votes were: Dr. Carter, yes; Dr. Cunningham, abs; Dr. Laird, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs, Dr. Young, yes.

The Motion passed and the meeting adjourned at 4:45 p.m.