

**OKLAHOMA STATE BOARD OF OSTEOPATHIC EXAMINERS
SPECIAL MEETING MINUTES
January 29, 2016**

DATE OF MEETING January 29, 2016

PLACE OF MEETING Oklahoma Board of Osteopathic Examiners
4848 N. Lincoln
Oklahoma City, OK

MEMBERS PRESENT Dennis J. Carter, D.O.
Jay D. Cunningham, D.O.
C. Michael Ogle, D.O.
Carl B. Pettigrew, D.O.
Catherine C. Taylor, J.D.
LeRoy E. Young, D.O.

MEMBERS ABSENT Gordon P. Laird, D.O.
Katie Templeton, J.D.

ALSO PRESENT Christi Aquino, *Board of Osteopathic Examiners*
Deborah J. Bruce, J.D., *Board of Osteopathic Examiners*
David N. Chorley, D.O.
Brittney Covert, *Board of Osteopathic Examiners*
Debbie J. Davis
Susan Fennimore, *DNR Reporting*
Daniel Gamino, J.D., *Board Legal Advisor*
Anthony Hendricks, J.D.
Patricia High, J.D., *Prosecutor for the Board*
Lana Ivy, *OOA*
Susan Jordan, J.D.
Krista Sanchez
Elizabeth Scott, J.D.
Rodney Turner, *Board of Osteopathic Examiners*
Tristan Walker, *Board of Osteopathic Examiners*
Richard Zimmer, *Board of Osteopathic Examiners*
General Public

PRESIDING: Jay D. Cunningham, D.O. *President*

1. CALL TO ORDER & ESTABLISH QUORUM

Jay D. Cunningham, D.O., *President*, called the meeting to order at 12:30 p.m. and announced that a quorum was established. Dr. Cunningham delegated the duty of presiding over the hearing on this date to General Counsel, Daniel Gamino. Mr. Gamino swore in all witnesses.

2. HEARING DOCKET

David N. Chorley, D.O.

OSBOE Special Meeting, January 29, 2016

Dr. Cunningham called the matter of David N. Chorley, D.O. to order and recognized the Prosecuting Attorney for the Board, Patricia High. Dr. Chorley appears in person with counsel, Elizabeth Scott, J.D. Board Investigator Tristan Walker appears to give testimony. The hearing commenced. Twenty-three (23) Exhibits were entered by the State. Fifteen (15) Exhibits were offered by the Respondent.

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

Dr. Cunningham called for the votes on the motion.

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

The motion passed. All staff and visitors left the room.

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

Dr. Cunningham called for the votes on the motion.

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

The motion passed.

Dr. Ogle moved that except for paragraph four (4) of the Amended Complaint, there was clear and convincing evidence submitted to support the allegations found in the Amended Complaint against Dr. Chorley.
Dr. Carter seconded the motion.

Dr. Cunningham called for the votes on the motion.

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

The motion passed.

Dr. Young moved that Respondents' Motion to Dismiss be over-ruled.
Dr. Pettigrew seconded the motion.

Dr. Cunningham called for the votes on the motion.

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

The motion passed.

Dr. Carter moved that Dr. Chorley's license to practice osteopathic medicine be suspended until two conditions are met. 1) Dr. Chorley is to provide the results of a professional evaluation of his clinical skills by CPEP, PACE or an equivalent entity. 2) He is to successfully complete CME programs at Case Western or equivalent on proper prescribing and medical recordkeeping. The Board's Staff shall have supervision over these matters. Upon completion of these requirements, Dr. Chorley shall appear before the Board for further consideration.
Dr. Pettigrew seconded the motion.

Dr. Cunningham called for the votes on the motion.

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

The motion passed.

3. OLD BUSINESS

1. Ms. Bruce provided the Board with copies of the Rules submitted to the Secretary of State's Office for amending and advised the Board of the upcoming Procedure.
2. Ms Bruce distributed the Board's Resolution on essential travel.
3. The Board advised Ms. Bruce to post an opening for an Investigator position.
4. Ms. Bruce advised the Board of a March 8, 2016 meeting at FSMB on the N. C. Dental case.

4. NEW BUSINESS

1. Ms. Bruce distributed the Governor's Executive Order - 2016-01 and was advised to determine what OMES would be offering to assist with implementation of a process to comply with the Order.
2. The Board considered an opening on the NBOME Board.

Dr. Young moved that the Board support Dr. Michael Ogle for a Director position on the NBOME Board.
Dr. Pettigrew seconded the motion.

Dr. Cunningham called for the votes on the motion.

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

The motion passed.

3. Dr. Young reported on upcoming legislation that might impact the Board.

4. Ms. Bruce advised the Board that she had nominated staff members for certain AIM Awards and requested approval for travel for anyone that received an award.

Dr. Young moved that the Board approve expenditures for any staff member receiving an AIM Award.
Dr. Pettigrew seconded the motion.

Dr. Cunningham called for the votes on the motion.

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

The motion passed.

3. ADJOURNMENT

Dr. Pettigrew moved to adjourn the meeting.
Dr. Carter seconded the motion.

Dr. Cunningham called for the votes on the motion and a roll call.

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

The motion passed and the meeting adjourned at 6:35 p.m.