

**OKLAHOMA STATE BOARD OF OSTEOPATHIC EXAMINERS  
QUARTERLY MEETING MINUTES**

**DATE OF MEETING**            December 8, 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.  
Katie Templeton, J.D.

**MEMBERS ABSENT**         Gordon P. Laird, D.O.  
Catherine C. Taylor, J.D.  
LeRoy E. Young, D.O.

**ALSO PRESENT**            Christi Aquino, *Board of Osteopathic Examiners*  
Sherry Boyce, JD.  
Deborah J. Bruce, J.D., *Board of Osteopathic Examiners*  
Paul Chang, *OHPP*  
Edward Clymer, D.O.  
Kimberly Contreras, *Board of Osteopathic Examiners*  
Kelsey Devinney, *Board of Osteopathic Examiners*  
Mitsi Faubion, D.O.  
Susan Fenimore, *DNR Reporting*  
Daniel Gamino, J.D., *Board Legal Advisor*  
Ryan Hearne, J.D.  
Patricia High, J.D., *Special Prosecutor for the Board*  
Trenton Horst, D.O.  
Lana Ivy, *OOA*  
Merlin, Kilbury, M.D., *OHPP*  
Corinne Kilbury  
Kam Laughlin  
Sidney Laughlin, D.O.  
John Marlar, D.O.  
Nancy Marshall, *OHPP*  
Lawrence McTague, D.V.M.  
Marcus McTague, D.O.  
Steven Medeiros, D.O.  
Mrs. Medeiros, ARNP  
Mary Kathryn Mercer, D.O.  
John Mobley, *Board Investigator*  
Jacob Moore, D.O.  
Regan Nichols, D.O.  
Timothy O'Quin, *Board of Osteopathic Examiners*  
Elizabeth Scott, J.D.

Robert Westcott, *OHPP*  
Cecilia Zemakas, *OHPP*  
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 9:00 a.m. and announced that a quorum was established.

**2. APPROVAL OF MINUTES**

Dr. Cunningham asked the members of the Board if they had reviewed the minutes from the Quarterly Board Meeting of September 15, 2016. He asked for any additions, corrections or deletions to those minutes.

Dr. Carter moved to approve the minutes of the September 15, 2016, Quarterly Board Meeting as corrected.  
Dr. Ogle seconded the motion.

Dr. Cunningham called for the votes on the motion to approve the minutes 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, abs; Ms. Templeton, yes; Dr. Young, abs.

The motion passed.

**3. REPORTS**

**A. EXECUTIVE DIRECTOR REPORT**

Ms. Bruce made housekeeping announcements. She also advised the Board of the new mileage requirements imposed by OMES, that they must report starting and ending mileage from the car's odometer. There is no explanation from OMES about the driver making personal stops during the trip. She thanked Dr. Young for the donuts.

**B. BUDGET**

Ms. Bruce advised the Board that the financial documents they were presented were prepared by OMES.

Dr. Carter moved to approve the budget documents as presented.  
Dr. Ogle seconded the motion.

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Dr. Cunningham called for the votes on the motion to approve the minutes 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, abs; Ms. Templeton, yes; Dr. Young, abs.

The motion passed.

#### **4. PRECEPTOR APPEARANCES**

##### **William E. Clymer, D.O.**

Dr. Cunningham called the matter of William E. Clymer to order. Dr. Clymer appears in person with counsel of record, Sherry Boyce. Dr. Merlin Kilbury of OHPP appears on behalf of Dr. Clymer. Board Chief Investigator Rick Zimmer also appeared and gave testimony. The Board addressed Dr. Clymer's compliance with his Order of Preceptorship of 3/21/13.

Dr. Ogle moved, for good cause shown, to terminate Dr. Clymer's Order of Preceptorship and return Dr. Clymer's license to full and unrestricted status.  
Ms. Templeton 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, abs; Ms. Templeton, yes; Dr. Young, abs.

The motion passed.

#### **5. PROBATION/MONITORING APPEARANCES**

##### **John Marlar, D.O.**

Dr. Cunningham called the matter of John Marlar, D.O. to order. Dr. Marlar appears in person without counsel. Board Investigator John Mobley also appeared and gave testimony. The Board addressed Dr. Marlar's compliance with his Agreed Order of 9/15/16. Dr. Marlar was informed he should next appear at the June Board Meeting.

No motion was made.

##### **Jacob A. Moore, D.O.**

Dr. Cunningham called the matter of Jacob A. Moore, D.O. to order. Dr. Moore appears in person without counsel. Board Chief Investigator, Rick Zimmer, also appeared and gave testimony. The Board addressed Dr. Moore's compliance with his Agreed Order of 6/18/15. The Board informed Dr. Moore they would like him to complete specialty CME before the termination of his Order. Dr. Moore was informed he should next appear at the June Board Meeting.

No motion was made.

**Regan G. Nichols, D.O.**

Dr. Cunningham called the matter of Regan G. Nichols, D.O. to order. Dr. Nichols appears in person without counsel. Chief Investigator for the Board, Richard Zimmer, also appears and gives testimony. The Board considered Dr. Nichols compliance with her Order of Probation of 9/17/15. They also considered the Evaluation by Dr. Johnsen which was provided under seal.

Dr. Pettigrew moved to go into Executive Session.  
Dr. Ogle 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, abs; Ms. Templeton, yes; Dr. Young, abs.

The motion passed. All Board Members left the room.

Dr. Pettigrew moved to come out of Executive Session.  
Dr. Ogle 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, abs; Ms. Templeton, yes; Dr. Young, abs.

The motion passed.

Dr. Ogle moved to issue an Interim Order granting Dr. Nichols' request to retake the evaluation and testing with Dr. Johnsen. In addition, she is ordered to take the COMVEX Examination and to receive a Neuro Psychiatric examination with a neuro-psychiatrist selected by Board Staff.  
Dr. Pettigrew 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, abs; Ms. Templeton, yes; Dr. Young, abs.

The motion passed.

**Steven Paul Medeiros, D.O.**

Dr. Cunningham called the matter of Steven Paul Medeiros, D.O. to order. Dr. Medeiros appears in person without counsel. Chief Investigator for the Board, Richard Zimmer, also appeared and gave testimony. The Board considered Dr. Medeiros' compliance with his Order of Monitoring of 6/18/15.

Ms. Templeton moved to go into Executive Session.  
Dr. Ogle 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, abs; Ms. Templeton, yes; Dr. Young, abs.

The motion passed. All Board Members left the room.

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

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

Dr. Ogle moved that upon completion of repayment of all costs imposed in his Order of 6/18/15, a Final Order of Termination of Monitoring be issued to Dr. Medeiros.  
Ms. Templeton 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, abs; Ms. Templeton, yes; Dr. Young, abs.

The motion passed.

**Trenton F. Horst, D.O.**

Dr. Cunningham called the matter of Trenton F. Horst, D.O. to order. Dr. Horst appears in person without counsel. Dr. Robert Westcott of OHPP appears on behalf of Dr. Horst. Board Chief Investigator Rick Zimmer also appeared and gave testimony. The Board addressed Dr. Horst's compliance with his Order of Probation of 6/21/12.

Dr. Ogle moved to terminate the Order of Probation and restore Dr. Horst's license to full unrestricted status. However, the Board wants to continue monitoring with an ongoing education condition. Dr. Horst is to submit a formal plan to reestablish competency in his specialty work, gastro-interology. He is to reappear when the Plan is complete.  
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, abs; Ms. Templeton, yes; Dr. Young, abs.

The motion passed.

**Matthew M. McTague, D.O.**

Dr. Cunningham called the matter of Matthew M. McTague, D.O. to order. Dr. McTague appears in person without counsel. Dr. Robert Wescott of OHPP appears on behalf of Dr. McTague. Board Investigator, John Mobley, also appeared and gave testimony. The Board addressed Dr. McTague's compliance with his Agreed Order of 12/10/15.

Dr. Carter moved to Terminate the Agreed Order of 12/10/15 including the OHPP requirement..  
Dr. Ogle 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, abs; Ms. Templeton, yes; Dr. Young, abs.

The motion passed.

**Mitsi Faubion, D.O.**

Dr. Cunningham called the matter of Mitsi Faubion D.O. to order. Dr. Faubion appears in person without counsel. Dr. Merlin Kilbury of OHPP appears on behalf of Dr. Faubion. The Board's Chief Investigator, Richard Zimmer, also appeared and gave testimony. The Board addressed Dr. Faubion's compliance with her Order of Reinstatement Under Probation of 12/13/12.

Dr. Ogle moved to issue a Final Order of Termination to Dr. Faubion.  
Ms. Templeton 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, abs; Ms. Templeton, yes; Dr. Young, abs.

The motion passed.

**6. APPLICANTS FOR LICENSURE – APPEARANCES**

**Sidney C. Laughlin, D.O.**

The Board considered the licensure of Dr. Laughlin and informed him he has to first be accepted into a residency program before an application of re-licensure will be considered.

No motion was made.

**7. HEARING DOCKET – Individual Proceedings / Disciplinary Actions**

**Mary Kathryn Mercer, D.O.**

Dr. Cunningham called the matter of Mary Kathryn Mercer, D.O. to order and recognized Patricia High, Board Prosecutor. Dr. Mercer appeared in person accompanied by her counsel of record, Ryan Hearne and Elizabeth Scott. The Hearing was held to consider Dr. Mercer's Motion to Vacate the Order of Suspension and her Petition for Rehearing. The Board heard argument from Counsel for Dr. Mercer and from the Board's Special Prosecutor.

Ms. Templeton moved to go into Executive Session.  
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, abs; Ms. Templeton, yes; Dr. Young, abs.

The motion passed. All Board Members left the room.

Ms. Templeton moved to come out of Executive Session.  
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, abs; Ms. Templeton, yes; Dr. Young, abs.

The motion passed.

Ms. Templeton moved to deny Mr. Mercer's Motion to Vacate and set a Hearing of the Amended Complaint on January 6th, 2017. The Board denied Respondent's Oral Motion to Stay.  
Dr. Pettigrew 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, abs; Ms. Templeton, yes; Dr. Young, abs.

The motion passed.

**Clayton Flanary, D.O.**

Continued to March 16, 2017

**Carl Glidden, D.O.**

Continued to March 16, 2017

**Paul Morrison, D.O.**

Continued to March 16, 2017

**Colm P. McCauley, D.O.**

Continued to March 16, 2017

**8. APPLICANTS FOR LICENSURE - NOT APPEARING**

The Board reviewed fourteen (14) new applicant licensure files. The Board also considered the license that had been Fast-tracked since the last meeting.

Ms. Templeton moved to grant the request of the fourteen (14) applicants to practice osteopathic medicine in the state of Oklahoma, pending completion of their licensure files satisfactory to Board Staff; and to ratify the fast-tracked license.  
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, abs; Ms. Templeton, yes; Dr. Young, abs.

The motion passed.

**Adrienne Loftis, D.O.**

The Board considered the licensure application of Adrienne Loftis, D.O.

Dr. Ogle moved to grant Dr. Loftis a limited license to practice non-surgical care.  
Ms. Templeton 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, abs; Ms. Templeton, yes; Dr. Young, abs.

The motion passed.

**9. LICENSURE MATTERS**

There were none to consider.

**10. MEETING DATES, 2017**

Board staff presented the meeting dates for next year as March 16, 2017, June 15, 2017, September 21, 2017, and December 14, 2017.

Dr. Pettigrew moved to accept meeting dates for 2017.  
Ms. Templeton 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, abs; Ms. Templeton, yes; Dr. Young, abs.

The motion passed.

**11. OLD BUSINESS**

1. Telemedicine

Dr. Pettigrew moved to adopt Telemedicine Guidelines as Amended as a rule.  
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, no; Ms. Taylor, abs; Ms. Templeton, yes; Dr. Young, abs.

The motion passed.

2. Ms. Bruce reported her participation in a Senate Interim Study on the Attorney General Review Process.

3. Ms. Bruce reported her participation in a Senate Interim Study on Felony Licensing.

**12. NEW BUSINESS**

1. The Board reviewed the Board 7 Staff Activities and Honors report.
2. The OHPP letter of 11/4/2016 was withdrawn by OHPP.
3. Ms. Bruce announced the upcoming visit in March by the FSMB. By consensus, the Board directed the staff to expand the March meeting to a day and a half.
4. The Board considered the OMES Statewide Licensing Plan.

Dr. Ogle moved to oppose and opt out of any plan for Statewide Licensing.  
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, abs; Ms. Templeton, yes; Dr. Young, abs.

The motion passed.

5. Ms. Bruce reported that OMES is also considering state run Human Resources.
6. The issue of temporary resident qualification for licensure was reiterated.
7. The Board considered online initial licensure application. No motion was made.
8. The Board considered the FSMB Alert and
9. the FSMB Advocacy Report.
10. The Board considered the invoice from Vudu Consulting.

Dr. Pettigrew moved to approve bill from VUDU Consulting Company.  
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, abs; Ms. Templeton, yes; Dr. Young, abs.

The motion passed.

**12. ADJOURNMENT**

Dr. Pettigrew moved to adjourn  
Ms. Templeton 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, abs; Ms. Templeton, yes; Dr. Young, abs.

The motion passed and the meeting adjourned at 4:30 p.m.