

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

DATE OF MEETING December 13, 2018

PLACE OF MEETING Oklahoma State Board of Osteopathic Examiners
4848 N. Lincoln Blvd.
Oklahoma City, OK 73105

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

MEMBERS ABSENT Katie Templeton, J.D.

ALSO PRESENT Christi Aquino, *Board of Osteopathic Examiners*
Jen Boren, *OHPP*
Deborah J. Bruce, J.D., *Board of Osteopathic Examiners*
Kim Contreras, *Board of Osteopathic Examiners*
Kelsey Devinney, *Board of Osteopathic Examiners*
Daniel Gamino, J.D., *Board Legal Advisor*
Jana Hazelbaker
Brent Henderson, D.O.
Lana Ivy, *OOA*
Corinne Kilbury, *OHPP*
Merlin Kilbury, M.D. *OHPP*
Roma McElwee, J.D.
Theresa Meinders Burkett, J.D.
John Mobley, *Board Investigator*
Timothy Moser, D.O.
Regan Nichols, D.O.
Scott Nguyen, D.O.
Michelle O'Meara, D.O.
Michael Tollett, D.O.
Tonya Townsend, D.O.
Robert Westcott, M.D. *OHPP*
Sherri Wise
Janis Womack, *Board of Osteopathic Examiners*
Richard Zimmer, *Board of Osteopathic Examiners*
General Public

PRESIDING: LeRoy E. Young, D.O. *President*

1. CALL TO ORDER & ESTABLISH QUORUM

LeRoy E. Young, 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. Young asked the members of the Board if they had reviewed the minutes from the Special Board Meetings of September 20, 2018. He asked for any additions, corrections or deletions to those minutes.

Dr. Pettigrew moved to approve the minutes of the September 20, 2018, Special Board Meeting as presented.
Dr. Cunningham seconded the motion.

Dr. Young 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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

3. REPORTS

A. EXECUTIVE DIRECTOR REPORT

Ms. Bruce announced with regret that longtime Court Report, Susan Fenimore, had taken a full time job and would no longer be with us. Ms. Bruce also announced that the office had purchased ergonomic desks for the staff that wanted them and encouraged Board Members to see them while in the building. Ms. Bruce advised the Board that OMES was proposing a new licensing system but had not determined the cost for the Agency.

Dr. Carter moved to table any consideration of adopting OMES licensing system until such time as we have costs and implementation suitable for us.
Dr. Langerman seconded the motion.

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

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

The motion passed.

B. GENERAL COUNSEL – BOARD EDUCATION

Mr. Gamino reviewed the procedure for voting as required by the Open Meetings Act.

C. BUDGET

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

Dr. Pettigrew moved to approve the financial documents.
Dr. Carter seconded the motion.

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

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

The motion passed.

LICENSURE MATTERS

4. APPLICANTS FOR LICENSURE – APPEARANCES

Tonya Y. Townsend, D.O.

The Board considered Dr. Townsends application for Licensure in Oklahoma. The application was considered and testimony was taken.

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

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

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

The motion passed. The Board Members left the room.

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

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

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

The motion passed.

Dr. Pettigrew moved to table the application for now and asked Dr. Townsend to provide documents for review including personal medical records, a post residency work history and psychological records. Dr. Townsend was advised that following review of the records, an assessment of her clinical skills might be required.
Dr. Ogle seconded the motion.

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

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

The motion passed.

Scott T. Nguyen, D.O.

The Board considered Dr. Nguyen's request for Licensure in Oklahoma. The application was considered and testimony was taken.

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

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

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

The motion passed. The Board Members left the room.

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

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

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

The motion passed.

Ms. Langerman moved to Deny the application today based upon contradictions between testimony
and facts contained in the application. The Board also commented on requisites for reapplication.
Dr. Ogle seconded the motion.

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

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

The motion passed.

Michael Tollett, D.O.

The Board considered Dr. Tollett 's request for Reinstatement of Licensure in Oklahoma. The application
was considered and testimony was taken.

Dr. Carter moved to table the application pending completion of Dr. Tollett 's probation with the
Department of Corrections.
Ms. Taylor seconded the motion.

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

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

The motion passed.

5. PROBATION/MONITORING APPEARANCES

Regan G. Nichols, D.O.

Dr. Young called the matter of Regan G. Nichols, D.O. to order. Dr. Nichols appears in person without counsel. Board Chief Investigator, Rick Zimmer, also appeared and gave testimony. The Board considered Dr. Nichols's compliance with her Order of Probation, 9/15/15. Dr. Nichols was informed to next appear in six (6) months.

No motion was made.

Michelle D. O'Meara, D.O.

Dr. Young called the matter of Michelle D. O'Meara, D.O. to order. Dr. O'Meara appears in person without counsel and waives notice. Merlin Kilbury, M.D. of OHPP appears with Dr. O'Meara. The Board's Chief Investigator, Richard Zimmer also appears and gives testimony. The Board considered Dr. O'Meara's evaluation required by the Order for Evaluation of 09/20/18.

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

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

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

The motion passed. The Board Members left the room.

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

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

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

The motion passed.

Dr. Pettigrew moved that based upon the evidence presented this day and the evaluation recommendations by Dr. Rojas that the license of Dr. O'Meara to practice osteopathic medicine in the State of Oklahoma be suspended until she has successfully completed in-patient treatment and the other recommendations of Dr. Rojas.
Ms. Taylor seconded the motion.

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

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

The motion passed.

6. HEARING DOCKET – Individual Proceedings / Disciplinary Actions

Brent W. Henderson, D.O.

Dr. Young called the matter of Brent W. Henderson, D.O. to order and recognized Special Prosecutor for the Board, Roma McElwee, J.D. Dr. Henderson appears in person with his counsel, Teresa Meinders Burkett, J.D. The Board's Investigator, John Mobley also appears and gives testimony. The Board considered the Proposed Agreed Order.

Dr. Ogle moved to Approve the Agreed Order.
Ms. Taylor seconded the motion.

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

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

The motion passed.

7. APPLICANTS FOR LICENSURE - NOT APPEARING

The Board reviewed nineteen (19) new applicant licensure files and two (2) applications for re licensure. The Board also considered the licenses that had been Fast-tracked since the last meeting.

Ms. Taylor moved to approve the nineteen (19) new license applications and two (2) applications for re licensure pending completion of their application files satisfactory to Board Staff; and to ratify all Fast Track applications that had occurred since the last meeting.
Dr. Pettigrew seconded the motion.

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

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

The motion passed.

8. LICENSURE MATTERS

Request for Name Change

Jennifer Marie Chestnut, D.O. to Jennifer Marie Holeman, D.O.
Amanda Bighorse Dominick, D.O. to Amanda Bighorse, D.O.
Charity Dawn Holder, D.O. to Charity Dawn Johnson, D.O.
Holly Jean Dean Patton, D.O. to Holly Jean Dean Dawson, D.O.
Shaylea Shebester, D.O. to Shaylea Beach, D.O.

Dr. Pettigrew moved to approve the name changes as requested.
Dr. Carter seconded the motion.

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

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

The motion passed.

9. OLD BUSINESS

1. The Policy and Procedure for Board approval of CME relating to SB1446 was considered and will be sent to the Board's General Counsel before publication.

Dr. Carter moved to approve the policy and procedure.
Dr. Cunningham seconded the motion.

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

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

The motion passed.

2. Ms. Bruce announced that more public information to be added to website. Those checking the website can now view both active and inactive licensees.

10. NEW BUSINESS

1. The OHPP Quarterly Report was distributed to the Board.
2. The Activities & Honors report was considered by the Board
3. Ms. Bruce advised the board that Katie Templeton had accepted the nomination by the Board President to run for a Director position with the FSMB and requested approval, funding for the campaign materials and for Board Staff to attend the FSMB Annual Meeting.

Ms. Taylor moved to nominate Katie Templeton for a Director position with the FSMB.
Dr. Pettigrew seconded the motion.

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

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

The motion passed.

Dr. Pettigrew moved to approve the expenditure of \$1500 for campaign materials and reimbursement for staff to attend the FSMB Annual Meeting.
Ms. Taylor seconded the motion.

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

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

The motion passed.

11. CONSENT AGENDA

Dr. Pettigrew moved to approve all items on the Consent Agenda for December, 2018.

Ms. Taylor seconded the motion.

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

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

The motion passed.

12. EXECUTIVE SESSION

Following the Executive Session several Motions were made.

Dr. Pettigrew moved to authorize Deborah Bruce to represent the Board in the Mercer Appeal to District Court.
Ms. Taylor seconded the motion.

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

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

The motion passed.

Ms. Taylor moved to approve end of year performance bonuses for all staff based on their performance reviews. Staff members who receive an Exceeds Standards shall receive a 10% bonus based upon their annual salary. Those staff members receiving a Meets Standards shall receive a 5% bonus based upon their annual salary.
Dr. Carter seconded the motion.

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

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

The motion passed.

Dr. Ogle moved to approve a raise for the Executive Director to the cap for that position. Ms. Bruce has announced her retirement for July, 2019, and the Board wanted the option of establishing the salary from the mid-level to the top of the cap set in state law. All other staff members had received both the mandated pay raises and additional raises from the Board.
Ms. Taylor seconded the motion.

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

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

The motion passed.

Dr. Ogle moved to approve a new procedure for history sheets on those appearing before the Board.

Dr. Langerman seconded the motion.

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

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

The motion passed.

14. ADJOURNMENT

Ms. Taylor moved to adjourn the meeting at 1:15 p.m.
Dr. Pettigrew seconded the motion.

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

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

The motion passed and the meeting adjourned at 1:15 p.m.