# OKLAHOMA STATE BOARD OF OSTEOPATHIC EXAMINERS REGULAR MEETING MINUTES

**DATE OF MEETING** June 17, 2021

PLACE OF MEETING Oklahoma History Center

800 Nazih Zuhdi Drive Oklahoma City, OK 73105

**MEMBERS PRESENT** Dale Derby, D.O.

Duane G. Koehler, D.O. Bret Langerman, D.O. C. Michael Ogle, D.O. Catherine Taylor, J.D. Katie Templeton, J.D. LeRoy E. Young, D.O.

**MEMBERS ABSENT** Jay Cunningham, D.O.

ALSO PRESENT In-Person Attendees:

Christi Aquino, Board of Osteopathic Examiners

Colin Bumann, D.O.

Kim Contreras, *Board of Osteopathic Examiners* Kelsey Devinney, *Board of Osteopathic Examiners* 

Daniel Gamino, J.D., Board Legal Advisor

Caleb Hentges, D.O. Jamie Justesen-Hentges

Michael Leake Jr., J.D., *Board of Osteopathic Examiners* John Mobley, CMBI, *Board of Osteopathic Examiners* 

Brooks Smallwood, D.O. Mitch Steckbeck, D.O.

Janis Womack, Board of Osteopathic Examiners

Richard Zimmer, CMBI, Board of Osteopathic Examiners

Teleconference Attendees:

David Bean Wayne Bickle Laura Bode

Ashland Boles, OHPP

Gayla Burrow

Paul Cheng, M.D., OHPP

Jennifer Colburn
Dustin Davis, D.O.
Shawna Duncan, D.O.
Molly Finley, D.O.
Amanda Foster
William Hayes, D.O.
Kevin Klauer, D.O.

John Kuhn, M.D., OHPP

Vanessa Meuniot, D.O.

William Murray

Keith Norvill, D.O.

Michelle O'Meara, D.O.

Trisza Ray, D.O.

Lowell Robertson, M.D.

Mel Robison, D.O.

James Roseberry, D.O.

**Sharon Smith** 

Douglas Stewart, D.O.

William Stoutt, D.O.

Jeremy Thomas, D.O.

Edmund Vu, D.O.

Sherri Wise, OFF

General Public

**PRESIDING:** Katie Templeton, J.D., *President* 

# 1. ROLL CALL TO ESTABLISH QUORUM

Katie Templeton, J.D., *President*, called the meeting to order at 9:00 a.m. and announced that a quorum was established.

# 2. SWEAR IN NEW BOARD MEMBER C. MICHAEL OGLE, D.O.

It was announced that the term of Carl B. Pettigrew, D.O., had ended, and that Governor J. Kevin Stitt had appointed C. Michael Ogle, D.O., to replace him. Dr. Pettigrew was thanked for his service to the State of Oklahoma. Mr. Gamino administered Dr. Ogle's Oath of Office.

#### 3. ELECTION OF OFFICERS

Ms. Templeton called for a motion for Officers of the Board.

Dr. Young moved to keep the Board's Executive Committee the same with Katie Templeton, J.D. as President, Bret Langerman, D.O. as Vice President, and Catherine Taylor, J.D. as Secretary/Treasurer.

Dr. Koehler seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

#### 4. APPROVAL OF PAST MINUTES

Ms. Templeton asked the members of the Board if they had reviewed the minutes from the Quarterly Board Meeting of March 18, 2021. She asked for any additions, corrections or deletions to those minutes.

Dr. Koehler moved to approve the minutes of the March 18, 2021 Regular Board Meeting as presented.

Dr. Derby seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

# 5. PROBATION, MONITORING, AND HEARING DOCKET

# **Dustin Davis, D.O.**

Ms. Templeton called the matter of Dustin Davis, D.O., to order. Dr. Davis appeared via Zoom without counsel. Special Investigator for the Board, John Mobley, also appeared in person and gave testimony. The Board considered Dr. Davis's compliance with his Board Order.

No motion was made.

#### Keith Norvill, D.O.

Ms. Templeton called the matter of Keith Norvill, D.O., to order. Dr. Norvill appeared via Zoom without counsel. Chief Investigator for the Board, Rick Zimmer, also appeared in person and gave testimony. The Board considered Dr. Norvill's compliance with his Board Order.

Ms. Taylor moved to terminate Dr. Norvill's probation for good cause shown.

Dr. Koehler seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

#### Michelle D. O'Meara, D.O.

Ms. Templeton called the matter of Michelle D. O'Meara, D.O., to order. Dr. O'Meara appeared via Zoom without counsel. Investigator for the Board, Rick Zimmer, appeared in person, and

John Kuhn, M.D., of OHPP also appeared via Zoom and gave testimony. The Board considered Dr. O'Meara's compliance with her Order Lifting Suspension of License and Restoring License with Conditions of Monitoring. Discussion was had regarding Dr. O'Meara's SoberLink compliance and her related fines. Dr. O'Meara was informed she was to next appear at the September 2021 Meeting.

#### Melvin Robison, D.O.

Ms. Templeton called the matter of Melvin Robison, D.O., to order. Dr. Robison appeared via Zoom without counsel. Chief Investigator for the Board, Rick Zimmer, also appeared in person and gave testimony. The Board considered Dr. Robison's compliance with his Board Order.

Dr. Young moved to continue Dr. Robison's probation until his federal trial has been resolved and that Dr. Robison is to next appear at the December 2021 meeting. Dr. Koehler seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

# Jeremy Thomas, D.O,

Ms. Templeton called the matter of Jeremy Thomas, D.O., to order. Dr. Thomas appeared via Zoom without counsel. Chief Investigator for the Board, Rick Zimmer, also appeared in person and gave testimony. The Board considered Dr. Thomas's compliance with his Board Order. Dr. Thomas announced that his counselor, Dr. Gillette, would be retiring and asked that the Board amend his probation to remove counseling as a requirement.

Dr. Young moved to go into Executive Session.

Ms. Taylor seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

Dr. Young moved to come out of Executive Session.

Ms. Taylor seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

Dr. Young moved to continue Dr. Thomas's probation with new conditions. Dr. Thomas is directed to report for an evaluation with Dr. Rojas and follow the recommendations he sets forth. Dr. Thomas has permission from the Board to prescribe, administer, or dispense only Testosterone if there is a medical need, provided he gets the necessary permits from the Oklahoma Bureau of Narcotics and Dangerous Drugs and the Drug Enforcement Agency. Dr. Thomas is to return before the Board in December 2021 unless his evaluation is completed and available to be Board by the September 2021 meeting. Dr. Koehler seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

#### Michael Freeman, D.O.

Ms. Templeton called the matter of Michael Freeman, D.O., to order. Dr. Freeman did not appear before the Board. Chief Investigator for the Board, Rick Zimmer, appeared in person and gave testimony. Mr. Zimmer announced that Dr. Freeman has no intention to continue his probation or his contract with OHPP and that he had signed an Affidavit of Surrender to be presented for Board consideration.

Dr. Young moved to accept Dr. Freeman's Affidavit of Surrender.

Ms. Taylor seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

#### 6. LICENSURE HEARING & REPORTING DOCKET

# **Applicants for Licensure- Appearing**

Molly Finley, D.O.

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

- Dr. Young moved to go into Executive Session.
- Dr. Koehler seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

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

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

Dr. Derby moved to deny Dr. Finley's application for licensure in Oklahoma based on the state of the application and the testimony given.

Dr. Koehler seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

#### William Hayes, D.O.

The Board considered Dr. Hayes's request for Re-Issue of his Licensure in Oklahoma. The application was considered, and testimony was taken.

- Dr. Derby moved to go into Executive Session.
- Dr. Koehler seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

- Dr. Derby moved to come out of Executive Session.
- Dr. Koehler seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

- Dr. Derby moved to deny Dr. Hayes's application based on evidence presented.
- Dr. Koehler seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

# James Roseberry, D.O.

The Board considered Dr. Roseberry's request for Re-Issue of his Licensure in Oklahoma. The application was considered, and testimony was taken.

Dr. Young moved to table Dr. Roseberry's application for licensure until the Board receives and reviews Dr. Roseberry's report from CPEP. Dr. Roseberry may reappear at the September 2021 meeting if his report has been received by the Board.

Ms. Taylor seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

# Trisza Ray, D.O.

The Board considered Dr. Ray's request for Re-Issue of her Licensure in Oklahoma. Dr. Ray appeared March 18, 2021 and her application was tabled. Dr. Ray requested to appear to ask the Board to review her Re-Entry to practice plan.

Dr. Young moved to accept Dr. Ray's Re-Entry plan as presented. Dr. Ray may appear once all evaluations have been received and reviewed by the Board.

Dr. Ogle seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

# Edmund Vu, D.O.

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

Dr. Young moved to approve Dr. Vu's application for Oklahoma licensure.

Dr. Ogle seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

#### William Stoutt, D.O.

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

Dr. Young moved to approve Dr. Stoutt's application for Oklahoma licensure.

Dr. Ogle seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

#### **Brooks Smallwood, D.O.**

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

Dr. Young moved to approve Dr. Smallwood's application for licensure and to extend his resident training license to June 30, 2021.

Dr. Derby seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

#### Mitchell Steckbeck, D.O.

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

Dr. Young moved to approve Dr. Steckbeck's application for licensure and to extend his resident training license to June 30, 2021.

Dr. Ogle seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

#### Colin Bumann, D.O.

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

Dr. Koehler moved to go into Executive Session.

Dr. Derby seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

Dr. Koehler moved to come out of Executive Session.

Dr. Derby seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

Dr. Koehler moved to table Dr. Bumann's application until Dr. Bumann completes an evaluation with both Dr. Julio Rojas and the OHPP. Once the evaluations are completed and received by the Board Dr. Bumann's application may be reconsidered. Dr. Bumann's training license will remain active until these reports have been received from the correct parties. Dr. Derby seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

# Caleb Hentges, D.O.

The Board considered Dr. Hentges' request for Licensure in Oklahoma. Dr. Hentges' appeared at the March 18, 2021 where his application was tabled. The information the Board requested of Dr. Hentges' and Board staff was presented and reviewed by the Board.

Dr. Koehler moved to go into Executive Session.

Dr. Young seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

Dr. Koehler moved to come out of Executive Session.

Dr. Young seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

Dr. Ogle moved to continue the tabling order for Dr. Hentges application until additional items are received and reviewed. Dr. Hentges' is ordered to obtain a full psychiatric evaluation and have it furnished to the Board. Dr. Hentges' is to request his previous training program produce the full audit log of his work schedule for June, July, and August of 2020 and have it provided to the Board. Dr. Hentges' is also to request his previous training program produce his work schedule for July of 2020 and have it provided to the Board. Any additional evidence produced is to be provided to the Board. Once these items have been completed, Dr. Hentges' may reappear for further Board consideration. Dr. Derby seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

## **Cancelation of Licenses**

Ms. Templeton asked the members of the Board if they had reviewed the list for the cancelation of licenses. These are licenses that had been previously extended from June 30, 2020 to February 14, 2021 due to COVID-19. Discussion was had on the matter.

Dr. Koehler moved to approve the cancelation of licenses list as presented. Ms. Taylor seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

# **Ratification of Approved Licenses**

Ms. Templeton asked the members of the Board if they had reviewed the ratification list for the Emergency License that were issued due to COVID-19.

Dr. Ogle moved to ratify all Emergency Temporary Licenses that had been issued pursuant to Governor Stitt's Executive Order due to COVID-19.

Dr. Derby seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

# 7. REPORTS AND RECOMMENDED ACTIONS Michael T. Leake, Jr, J.D., Executive Director:

- 1. Mr. Leake informed the board the financial reports were in their board materials and they were accepted by consensus.
- 2. Mr. Leake announced that 2021 marks the one-hundred-year anniversary of the creation of the Oklahoma Osteopathic Board.
- 3. Mr. Leake announced to the board that he has been actively trying to educate the physicians requesting E-Prescribing waivers to try and minimize the number of requests being approved.
- 4. Mr. Leake stated that there were a few legislative bills that are being followed by the staff.
- 5. Mr. Leake suggested the board go into executive session to discuss the top twenty prescriber list provided by the OBNDD.

Dr. Young moved to go into Executive Session.

Dr. Koehler seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed. No further discussion was had regarding this list.

- 6. Mr. Leake provided the board with an update on the investigative department and announced that Board staff have received seven (7) COVID-19 related complaints.
- 7. Mr. Leake stated the licensing department numbers were in the Board Materials for review. He asked that the board consider a rule change to make resident training licenses required for osteopathic intern physicians.

Dr. Young moved to approve a rule change requiring resident training licenses to be required for osteopathic physicians in their first year of residency.

Dr. Derby seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

#### **General Counsel Gamino:**

Mr. Gamino informed the Board he would be reviewing the twenty-eight (28) page Supreme Court v. Oklahoma Medical Board opinion and would have a report on his findings at the September 2021 meeting.

# John Kuhn, M.D., Oklahoma Health Professionals Program (OHPP):

Dr. Kuhn gave a presentation from OHPP with program updates. He announced that OHPP has began a fundraising campaign to raise funds for the program.

# Allison LaBoeuf-Warren, J.D., Oklahoma Osteopathic Association (OOA):

Ms. LaBoeuf-Warren had no report.

#### 8. OLD BUSINESS

No old business was discussed.

#### 9. **NEW BUSINESS**

No new business was discussed.

#### 10. PUBLIC COMMENT

No public comment was made.

# 11. ADJOURNMENT

The meeting was adjourned by consensus at 3:45 p.m. The next meeting is September 16, 2021, at 9:00 a.m.