

OKLAHOMA STATE BOARD OF OSTEOPATHIC EXAMINERS

Special Quarterly Board Meeting
Thursday, June 16, 2022, 09:00 a.m.
4848 N. Lincoln Blvd.
Oklahoma City, OK 73105
(405) 528-8625 - Facsimile (405) 557-0653

(Hearings & appearances will not start before the scheduled time but will continue until concluded.)

ZOOM CALL INFORMATION – PASSWORD IS REQUIRED

Join Zoom Meeting:

<https://zoom.us/j/98817835727?pwd=R093Myt6NFA2VHhBUDNFskZyZ2RQZz09>

Meeting ID: 988 1783 5727

Password: 060826

Find your local number: <https://zoom.us/u/atzBUi7F3>

AGENDA

Presiding: Katie Templeton, J.D., President

- 1. ROLL CALL TO ESTABLISH QUORUM 9:00 a.m.**
 - 2. SWEAR IN NEW BOARD MEMBERS DENNIS J. CARTER, D.O. & CHELSEY D. GILBERTSON, D.O.**
 - 3. ELECTION OF OFFICERS**
 - 4. SPECIAL RECOGNITION – BRET LANGERMAN, D.O.**
 - 5. REMEMBERING CARL PETTIGREW, D.O.**
 - 6. APPROVAL OF PAST MINUTES p. 10**
Special Quarterly Meeting of 3-24-2022
 - 7. PROBATION, MONITORING, AND HEARING DOCKET 9:00 a.m.**
{Executive Session may be called – 25 O.S. § 307(B)(8)}
- Bumann, Colin, D.O., # 7512 p. 23**
Case No. 2021-098 (RZ)
Probationary Report Hearing

	Baracker, Lisa, D.O., # 7574 Case No. 2021-223 (JM) Monitoring Report Hearing	Elizabeth Scott, J.D.	p. 35
	Davis, Dustin, D.O., # 7059 Case No. 2020-072 (JM) Probationary Report Hearing		p. 46
	Hentges, Caleb, D.O., # 7475 Case No. 2021-046 (RZ) Probationary Report Hearing	Linda Scoggins, J.D.	p. 54
	Lovell, Andrew, D.O. # 5921 Case No. 2021-043 (RZ) Probationary Report Hearing		p. 64
	Robison, Melvin, D.O., # 2832 Case No. 0814-096 (RZ) Probationary Report Hearing		p. 81
	Roseberry, James, D.O., # 2897 Case No. 2021-103 (RZ) Monitoring Report Hearing		p. 105
	Thomas, Jeremy, D.O., # 4495 Case No. 1017-128 (RZ) Probationary Report Hearing	James Connor, J.D.	p. 113
8.	LICENSURE & RENEWAL HEARING DOCKET Christi Aquino, Director of Licensing Michael T. Leake Jr., J.D., Executive Director {Executive Session may be called – 25 O.S. § 307(B)} <u>Applicants for Licensure – Appearing</u> Abraham, Anthony - Applicant Huff, Ian – Applicant Newborn, Adam – Resident Training Applicant Steckbeck, Mitchell - # 7423 Switzer, Dale – Applicant Werblin, Alia - Applicant <u>Request for Mid-Level Exception</u> Minor, Sarah, D.O., # 6299	10:00 a.m.	p. 136

- 9. RATIFICATION OF APPROVED LICENSES** **p. 154**
 {Executive Session may be called – 25 O.S. § 307(B)}
- 10. REPORTS AND POSSIBLE ACTIONS**
-Michael T. Leake Jr., J.D., Executive Director:
 {Executive Session may be called – 25 O.S. § 307(B) (1-4)}
1. Financial Report / Budget **p. 157**
 2. Status of Waiver Requests for electronic prescribing under
63 O.S. § 2-309 effective 1/1/2020
 3. Top Twenty Prescribers
 4. Investigative Department Update / Statistics
 5. Licensing Department Update / Statistics **p. 158**
 6. Proposed Physician Assistant Rules **p. 162**
 7. PLICO Summit Sponsorship
- Daniel Gamino, J.D., General Counsel:**
 {Executive Session may be called – 25 O.S. § 307(B)}
1. Opioid Litigation Update
- John Kuhn, M.D., Oklahoma Health Professionals Program:**
 {Executive Session may be called – 25 O.S. § 307(B)}
1. Annual Contribution
- 11. EXECUTIVE SESSION**
- Discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual or employee pursuant to 25 O.S. § 307(B)(1). (Annual Review of Executive Director)
- 12. OLD BUSINESS**
 {Executive Session may be called – 25 O.S. § 307(B)}
- 13. NEW BUSINESS**
 {Executive Session may be called – 25 O.S. § 307(B)}
- 14. PUBLIC COMMENT**
 (Limited to five minutes per person absent Board majority vote to extend time)
- 15. ADJOURNMENT** **p. 185**

ROLL CALL

**SWEAR IN
NEW
BOARD
MEMBERS**

ELECTION OF OFFICERS

SPECIAL
RECOGNITION
TION
BRET
LANGERMAN,
D.O.

REMEMBERING
CARL
PETTIGREW,
D.O.

APPROVAL OF PAST MINUTES

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

DATE OF MEETING March 24, 2022

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

MEMBERS PRESENT Jay Cunningham, 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

ALSO PRESENT

In-Person Attendees:

Christi Aquino, *Board of Osteopathic Examiners*

Lisa Baracker, D.O.

Kim Contreras, *Board of Osteopathic Examiners*

Kelsey Devinney, *Board of Osteopathic Examiners*

Daniel Gamino, J.D., *Board Legal Advisor*

Kari Hawthorne, J.D.

Tiffany Hockett, *OHPP*

Wilson G. Knight, D.O.

John Kuhn, M.D., *OHPP*

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

John Mobley, CMBI, *Board of Osteopathic Examiners*

Betty Orange, D.O.

J. Patrick Quillian, P.C., *Board of Osteopathic Examiners*

Elizabeth Scott, J.D.

Janis Womack, *Board of Osteopathic Examiners*

Richard Zimmer, CMBI, *Board of Osteopathic Examiners*

Teleconference Attendees:

Cindy Allen

Melanie Baughn, D.O.

Gayla Burrow

Paul Cheng, M.D., *OHPP*

Andrew Lovell, D.O.

Vanessa Meuniot, D.O.

Sarah Njuguna

Donald Schleicher II, D.O.

Mitchell Steckbeck, D.O.

Susan Winchester, *Sec. of Licensing and Regulation*

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. APPROVAL OF PAST MINUTES

Ms. Templeton asked the members of the Board if they had reviewed the minutes from the Quarterly Board Meeting of December 9, 2021. She asked for any additions, corrections or deletions to those minutes.

Dr. Koehler moved to approve the minutes of the December 9, 2021 Regular Board Meeting as presented.
Dr. Langerman seconded the motion.

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

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

The motion passed.

3. PROBATION, MONITORING, AND HEARING DOCKET

Wilson G. Knight, II, D.O.

Ms. Templeton called the matter of Wilson G. Knight, II, D.O., to order. Dr. Knight appeared in person with counsel of record, Kari Hawthorne, J.D. Special Investigator for the Board, John Mobley, also appeared in person and gave testimony. Dr. Knight and Ms. Hawthorne requested a change in wording to Dr. Knight's Board Order.

Dr. Koehler 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, 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.
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, 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 grant, in part, Dr. Knight's request to amend his Order to show affirmatively he may treat female patients so long as there is a third-party neutral chaperone present.
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, yes; Dr. Koehler, yes; Dr. Langerman, yes; Dr. Ogle, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

Andrew Lovell, D.O.

Ms. Templeton called the matter of Andrew Lovell, D.O., to order. Dr. Lovell appeared via Zoom without counsel. Special Investigator for the Board, John Mobley, also appeared in person and gave testimony. The Board considered Dr. Lovell's compliance with his Board Order. Dr. Lovell was informed to next appear in six (6) months.

No motion was made.

4. LICENSURE & RENEWAL HEARING DOCKET

Applicants for Licensure- Appearing

Lisa Baracker, D.O.

Ms. Templeton called the matter of Lisa Baracker, D.O. to order. The Board considered Dr. Baracker's Order tabling her license application. Dr. Baracker appeared in person to give testimony with counsel of record, Elizabeth Scott, J.D. Director of Licensing, Christi Aquino, also appeared in person to give testimony. Dr. Baracker's Program Director and Residency Coordinator, Vanessa Meuniot, D.O. and Gayla Burrow respectively, appeared via Zoom to give testimony. The Board reviewed the assessment report provided by Dr. Beaman, as requested in the tabling order.

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

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

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

The motion passed.

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

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

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

The motion passed.

Dr. Koehler moved to grant Dr. Baracker's license under a two (2) year period of terms and conditions. Dr. Baracker is limited to practice while actively employed in an ACGME accredited residency program with no moonlighting or other activity permitted. Under these terms and conditions, there will also be a zero-tolerance policy for poor professional communication. Dr. Baracker must also provide affirmative confirmation that she successfully completed a professional communication certification course, such as Crucial Conversations, during this period.
Dr. Langerman seconded the motion.

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

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

The motion passed.

Melanie Baughn, D.O.

Ms. Templeton called the matter of Melanie Baughn, D.O. to order. The Board considered Dr. Baughn's application for late renewal and all documentation provided. Dr. Baughn appeared via zoom to give testimony. Director of Licensing, Christi Aquino, also appeared in person to give testimony.

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

The motion passed.

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

The motion passed.

Dr. Koehler moved to table Dr. Baughn's application for renewal until Dr. Baughn provides the Board with the results of her previous psychometric testing and the results of her upcoming psychometric testing for review. Once these have been received by the Board, Dr. Baughn can request to reappear for further reconsideration.
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, yes; Dr. Koehler, yes; Dr. Langerman, yes; Dr. Ogle, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, abs.

The motion passed.

Betty Orange, D.O.

Ms. Templeton called the matter of Betty Orange, D.O. to order. The Board considered Dr. Orange's request for Re-Licensure in Oklahoma. Dr. Orange appeared in person to give testimony. Director of Licensing, Christi Aquino, also appeared in person to give testimony.

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

The motion passed.

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

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

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

The motion passed.

Dr. Cunningham moved to approve Dr. Orange's application for re-issuance of Oklahoma licensure.
Dr. Langerman seconded the motion.

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

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

The motion passed.

Donald Schleicher II, D.O.

Ms. Templeton called the matter of Donald Schleicher II, D.O. to order. The Board considered Dr. Schleicher's request for Licensure in Oklahoma. Dr. Schleicher appeared via zoom to give testimony. Director of Licensing, Christi Aquino, also appeared in person to give testimony.

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

The motion passed.

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

OSBOE Special Meeting, March 24, 2022

The motion passed.

Ms. Taylor moved to approve Dr. Schleicher's application for Oklahoma licensure.
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, yes; Dr. Koehler, yes; Dr. Langerman, yes; Dr. Ogle, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, abs.

The motion passed.

Mitchell Steckbeck, D.O.

Ms. Templeton called the matter of Mitchell Steckbeck, D.O. to order. Dr. Steckbeck appeared via zoom to give testimony regarding his residency status.

Dr. Koehler moved to have Dr. Steckbeck keep the Board advised on his status finding a new residency program. Should Dr. Steckbeck be unable to find a new program by the June 16, 2022 meeting, he will be required to appear at that time.
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, yes; Dr. Koehler, yes; Dr. Langerman, yes; Dr. Ogle, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, abs.

The motion passed.

5. RATIFICATION OF APPROVED LICENSES

Ms. Templeton asked the members of the Board if they had reviewed the ratification list for all licenses that have been approved by the Boards Director of Licensing, Christi Aquino, since the last Quarterly Board meeting of December 9, 2021.

Dr. Young moved to ratify all licenses issued since the December 9, 2021 Board meeting.
Dr. Cunningham seconded the motion.

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

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

The motion passed.

6. RATIFICATION OF SURRENDERED LICENSES

Ms. Templeton asked the members of the Board if they had reviewed the Affidavit of Surrender for Virgil McMillion, D.O., license number 7442.

Dr. Cunningham moved to ratify the Affidavit of Surrender for Virgil McMillion, D.O.
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, yes; Dr. Koehler, yes; Dr. Langerman, yes; Dr. Ogle, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

Ms. Templeton asked the members of the Board if they had reviewed the Affidavit of Surrender for Anh Tran, D.O., license number 6784.

Dr. Koehler moved to ratify the Affidavit of Surrender for Anh Tran, D.O.
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, yes; Dr. Koehler, yes; Dr. Langerman, yes; Dr. Ogle, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

7. REVIEW OF PUBLIC COMMENT AND POSSIBLE ADOPTION OF ADMINISTRATIVE RULE CHANGES (TITLE 510 CHAPTER(S) 1,5,10)

Ms. Templeton asked the members of the Board if they had reviewed the public comment and content of the Administrative Rules changes for Title 510 Chapter(s) 1, 5, and 10. Mr. Leake announced that one (1) public comment was for a section not previously indicated in the Notice of Rulemaking Intent provided to the Office of Administrative Rules and would need to be considered at the next change in Title 510.

Dr. Young moved to approve the public comment provided by Allison LaBoeuf of the Oklahoma Osteopathic Association which adds language to 510:10-4-13 for an Emeritus License type to be issued 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, 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 approve the public comment provided by Sherri Wise of the Osteopathic Founders Foundation which provided for a terminology change in 510:10-3-4. 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, 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 modify the renewal fee on the fee schedule to two hundred and twenty-five (225) dollars as opposed to two hundred and fifty (250) dollars. 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, 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 adopt the Administrative Rule changes contained in Title 510 Chapter(s) 1, 5, and 10 as presented with the aforementioned modifications from comments. Dr. Cunningham seconded the motion.

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

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

The motion passed.

8. OPIOID DISTRIBUTORS LITIGATION

Ms. Templeton asked the members of the Board if they had reviewed the Deposition Notice for Dr. Young.

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

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

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

The motion passed.

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

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

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

The motion passed.

No votes were taken while in Executive Session and no further motions were made.

9. DISCUSSION AND POSSIBLE DECLARATORY RULING ON CHIROPRACTIC INJECTABLES

Ms. Templeton asked the members of the Board if they had reviewed the information provided regarding Chiropractic Injectables.

No motion was made. The Board will rely on statute as written.

10. 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 informed the Board that there had been no new E-Prescribing waiver requests since the December 9, 2021 meeting.
3. Mr. Leake stated the Top Twenty Prescribers list was up on Box for the Board to review. He informed the Board that the yearly review had been requested but not yet received.
4. Mr. Leake announced that there were now visual representations of the investigative statistics for the board to review and suggested the Board go into Executive Session to discuss investigative updates. No motion was made.
5. Mr. Leake stated the licensing department numbers were in the Board Materials for review.
6. Mr. Leake informed the Board that the Occupational Licensing Committee report suggested no changes to Osteopathic licensing and that the report was up for review.

OSBOE Special Meeting, March 24, 2022

7. Mr. Leake announced that Osteopathic Medicine Day is April 4, 2022 for anyone who wishes to attend.

General Counsel Gamino:

Mr. Gamino informed the Board he had no new reports to give.

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

Dr. Kuhn gave a presentation from OHPP about the new physician mental health program that has begun and stated it is growing.

11. OLD BUSINESS

No old business was discussed.

12. NEW BUSINESS

No new business was discussed.

13. PUBLIC COMMENT

No public comment was made.

14. ADJOURNMENT

The meeting was adjourned by consensus at 3:30 p.m.

PROBATION, MONITORING, & HEARING DOCKET

COLIN
BUMANN,
D.O.
7512



Oklahoma State Board of Osteopathic Examiners

BOARD MEMBERS

KATIE TEMPLETON, J.D.
PRESIDENT
OKLAHOMA CITY

BRET LANGERMAN, D.O.
VICE PRESIDENT
MUSTANG

CATHERINE C. TAYLOR, J.D.
SECRETARY-TREASURER
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LEROY E. YOUNG, D.O.
OKLAHOMA CITY

JAY D. CUNNINGHAM, D.O.
OKLAHOMA CITY

DUANE KOEHLER, D.O.
TULSA

C. MICHAEL OGLE, D.O.
BARTLESVILLE

DENNIS J. CARTER, D.O.
POTEAU

May 25, 2022

VIA EMAIL [REDACTED]
AND U.S. MAIL

Colin Bumann, D.O. (#7512)
[REDACTED]

Re: Notice of Hearing re OSBOE v. Colin
Bumann, D.O. (No. OSBOE-2021-098)

Dear Dr. Bumann:

Please be advised that you are required to appear on the Probation, Monitoring and Hearing Docket before the Oklahoma State Board of Osteopathic Examiners at its next meeting on **June 16, 2022. All such appearances for this docket are set for 9:00 a.m.** The Hearing Docket will be held in the large meeting room at the Board's Office, 4848 N. Lincoln Blvd., Ste. 100, Oklahoma City, Oklahoma.

Join Zoom Meeting:

<https://zoom.us/j/98817835727?pwd=R093Myt6NFA2VHhBUDNFskZyZ2RQZz09>

Meeting ID: **988 1783 5727**

Password: **060826**

Find your local number: <https://zoom.us/u/aGp5kcByB>

Please let us know in advance whether you intend to appear at the meeting by Zoom or in person.

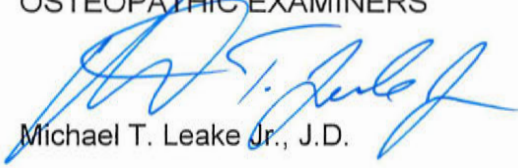
Be further advised that at the conclusion of the Hearing, the Board may take no action, or any action allowed by provisions of the Oklahoma Osteopathic Medicine Act, 59 O.S. Section 620 et. seq., including reprimand, probation, suspension or revocation.

If you are represented by counsel, a courtesy copy of this Notice has been provided to them. Please feel free to contact us if you have any questions.

OSBOE Q2 BOARD MATERIALS 0023

Very truly yours,

OKLAHOMA STATE BOARD OF
OSTEOPATHIC EXAMINERS

A handwritten signature in blue ink, appearing to read "Michael T. Leake Jr.", is written over the printed name.

Michael T. Leake Jr., J.D.

MTL/kc

OSBOE HISTORY SHEET

Colin Bumann, D.O.

Emergency Medicine

Okla. Lic Number: 7512

Case Number: 2021-098 (RZ)

Status: Licensed with Conditions

TOTAL COSTS AND FINES:

- X Monthly Administrative Fee: \$100/month

7-9-2021 INTERIM ORDER TABLING APPLICATION AND GRANTING EXTENSION OF TRAINING LICENSE

- X Enroll in OHPP and comply with all requirements of the program
- X Undergo an evaluation by Julio Rojas, Ph.D.
- X Sign any and all authorizations to release information to the Board from OHPP and/or Dr. Rojas
- X Dr. Bumann's Resident Training License has been extended until 9-16-2021 to allow him to continue training with his current residency program
- X Reappear before Board to review all documents and information

10-11-2021 SECOND INTERIM ORDER TABLING CONSIDERATION OF APPLICATION AND EXTENSION OF TRAINING LICENSE

- X Hearing continued until 12-9-2021
- X Comply with all requirements set forth in the Interim Order signed on 7-9-2021
- X Sign any authorizations necessary to release all reports, documents, etc. directly to the Board
- X Dr.'s Resident Training License has been extended until 12-9-2021
- X Re-appear before the Board to review all requested documentation and information, Application will remain tabled until this time

1-11-2022 ORDER GRANTING LICENSE WITH TERMS AND CONDITIONS

- X License granted under a 5 year term of Probation (may be continued or extended at the discretion of the Board)
- X Successfully comply with OHPP contract, following all terms and conditions
- X Sign any releases necessary for the Board to obtain any records from, or communicate with OHPP
- X Continue with current drug and alcohol therapy, complying with any recommendations, including any subsequent therapy that is recommended
- X Monthly Administrative fee \$100/month

OSBOE HISTORY SHEET

- X Bear the financial costs of any related expenses
- X Sign and complete all authorizations are signed and completed to release all reports, documents, etc directly to the Board

IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA

IN THE MATTER OF COLIN)
BUMANN, D.O., APPLICANT FOR)
ISSUE OF LICENSE)
(Osteopathic Medical License No.
7512)

Case No. 2021-098 (RZ)

RECEIVED/FILED

JAN 11 2022

**ORDER GRANTING LICENSE WITH
TERMS AND CONDITIONS**

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a regular meeting of the Board on December 9, 2021. Colin Bumann, D.O. ("Dr. Bumann") presented without counsel. The Board's Chief Investigator, Richard Zimmer, and John Kuhn, M.D., also appeared and gave testimony.

This Order is issued pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 620 et. seq. and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 et. seq.

The Board, after reviewing Dr. Bumann's Application for Licensure and being fully advised, enters this Order Granting License with Terms and Conditions.

ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Board that, for good cause shown, of Dr. Bumann's application for Licensure is hereby **GRANTED** and subject to the following terms and conditions:

1. That Dr. Bumann's license, number 7512 is under a five (5) year term of **PROBATION**. Said probation may be extended or continued at the discretion of the Board.
2. That Dr. Bumann continue to successfully comply with Oklahoma Health Professional Program ("OHPP") contract, following all terms and conditions. Dr. Bumann shall sign any releases necessary for the Board to obtain any records from, or communicate with, OHPP regarding Dr. Bumann.

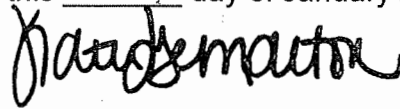
3. That Dr. Bumann continue with his current drug and alcohol therapy, complying with any recommendations, including any subsequent therapy that is recommended.
4. That Dr. Bumann is assessed an ongoing monthly Administrative Maintenance fee of one hundred dollars (\$100) due by the first day of each month. Dr. Bumann's first monthly fee payment is due on February 1, 2022, and continues monthly during the pendency of his probation.
5. That Dr. Bumann shall bear the financial costs of any expenses incurred from this Order.
6. That Dr. Bumann shall ensure all authorizations are signed and completed to release all reports, documents, etc., directly to the Board.
7. That Dr. Bumann is required to notify the Board within fourteen (14) days of any changes to his residential or practice address.
8. That Dr. Bumann is required to notify the Board within fourteen (14) days of any changes to his cell phone number.
9. That Dr. Bumann complete the Compliance Information Request Form within ten (10) days of signing this Order. (Exhibit A, Compliance Information Request Form).
10. That Dr. Bumann complete the Monthly Supervision Self-Report by the tenth (10th) day of each month. (Exhibit B, Monthly Supervision Self-Report).
11. That Dr. Bumann appear before the Board in compliance with this Order on March 17, 2022.
12. In the event Dr. Bumann leaves the State of Oklahoma to practice medicine in

another jurisdiction, and surrenders his license here in Oklahoma, the terms and conditions of this Order shall be tolled.

This Order is a public record and therefore subject to the Oklahoma Open Records Act.

Further, This Order may be reportable to the National Practitioner Data Bank ("NPDB") pursuant to federal law, including but not limited to, 45 CFR Part 60.

IT IS HEREBY ORDERED AND EFFECTIVE this 11th day of January 2022.



Katie Templeton, J.D.
Board President
State Board of Osteopathic Examiners

IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA

IN THE MATTER OF COLIN)
BUMANN, D.O., APPLICANT FOR)
ISSUE OF LICENSE (Osteopathic)
Medical License No. 0346R)

Case No. 2021-098 (RZ)

RECEIVED/FILED

OCT 11 2021

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

**SECOND INTERIM ORDER TABLING CONSIDERATION OF
APPLICATION AND EXTENSION OF TRAINING LICENSE**

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a regular meeting of the Board on September 16, 2021. Colin Bumann, D.O. ("Dr. Bumann"), applicant for licensure, was provided notice and was continued until the December 9, 2021 meeting.

This Order is issued pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 620 *et. seq.* and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et. seq.*

Being fully advised, the Board modifies the previous Order of his Interim Order Tabling Consideration of Application and Extension of Training license as set forth below.

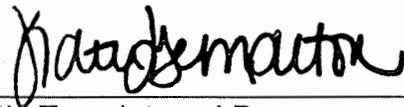
1. Dr. Bumann's hearing has been continued until December 9, 2021.
2. Dr. Bumann shall comply with all requirements set forth in the Interim Order signed on July 9, 2021.
3. Dr. Bumann shall bear all expenses related to the requirements outlined in this Second Interim Order, and any other Order issued by the Board.
4. Dr. Bumann shall sign any authorizations necessary to release all reports, documents, etc. directly to the Board.
5. Dr. Bumann's Application shall remain tabled until such time as the Board receives the requested documentation and/or information in this Second Interim Order, and any other Order issued by the Board.
6. Dr. Bumann's Resident Training License has been extended until December 9, 2021, wherein the doctor is permitted to continue his training within his current residency program.

SECOND INTERIM ORDER TABLING CONSIDERATION OF
APPLICATION AND EXTENSION OF TRAINING LICENSE
Colin Bumann, D.O. (Applicant)
OSBOE-2021-098

7. Following receipt of the requested documentation and information from this Second Interim Order, and the Interim Order issued on July 9, 2021, Dr. Bumann will be scheduled to appear before the Board for review of all documents and for any other issues raised by his Application and history.
8. This Second Interim Order is not a final determination of this Board and is therefore not appealable as a final order.
9. The Board has not reached any final determination in the Application, and nothing in this Order shall guarantee further licensure of Dr. Bumann.

This Second Interim Order is a public record and, therefore, subject to the Oklahoma Open Records Act.

IT IS HEREBY ORDERED AND EFFECTIVE this 11th day of October 2021.



Katie Templeton, J.D.
Board President
State Board of Osteopathic Examiners

IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA

RECEIVED/FILED

JUL 09 2021

IN THE MATTER OF COLIN)
BUMANN, D.O., APPLICANT FOR) Case No. 2021-098 (BZ)
ISSUE OF LICENSE (Osteopathic)
Medical License No. 0346R) OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

**INTERIM ORDER TABLING APPLICATION AND
GRANTING EXTENSION OF TRAINING LICENSE**

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a regular meeting of the Board on June 17, 2021. Colin Bumann, D.O. ("Dr. Bumann"), applicant for licensure, appears at the hearing on this date via Zoom without counsel on his Application to practice Osteopathic Medicine in the State of Oklahoma. Dr. Bumann's residency coordinator and director appeared by Zoom.

This Order is issued pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 620 *et. seq.* and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et. seq.*

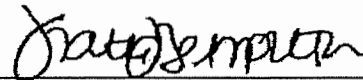
After reviewing Dr. Bumann's Application and hearing sworn testimony, the Board enters this Interim Order Tabling Application. Future consideration of this Application will occur upon the following terms and conditions:

1. In order to protect the public, Dr. Bumann shall enroll in the Oklahoma Health Professionals Program ("OHPP"), wherein he is required to comply with all requirements of the program.
2. In order to protect the public, Dr. Bumann shall undergo an evaluation by Julio Rojas, Ph.D.
3. Dr. Bumann shall sign any and all authorizations to release information to the Board from OHPP and/or Dr. Rojas.
4. Dr. Bumann shall bear all expenses related to the requirements outlined in this Order.
5. Dr. Bumann's Application shall remain tabled until such time as the Board receives the requested documentation and/or information in this Interim Order.
6. Dr. Bumann's Resident Training License has been extended until September 16,

2021, wherein the doctor is permitted to continue his training within his current residency program.

7. Following receipt of the requested documentation and information, Dr. Bumann will be scheduled to appear before the Board for review of all documents and for any other issues raised by his Application and history.
8. This Interim Order is not a final determination of this Board and is therefore not appealable as a final order.
9. The Board has not reached any final determination in the Application, and nothing in this Order shall guarantee further licensure of Dr. Bumann.
10. This Interim Order is a public record and, therefore, subject to the Oklahoma Open Records Act.

IT IS HEREBY ORDERED AND EFFECTIVE this 9th day of July 2021.



Katie Templeton, J.D.
Board President
State Board of Osteopathic Examiners

LISA
BARACKER,
D.O.
7574
ELIZABETH SCOTT, J.D.



Oklahoma State Board of Osteopathic Examiners

KATIE TEMPLETON, J.D.
PRESIDENT
OKLAHOMA CITY

BOARD MEMBERS
BRET LANGERMAN, D.O.
VICE PRESIDENT
MUSTANG

CATHERINE C. TAYLOR, J.D.
SECRETARY-TREASURER
TULSA

LEROY E. YOUNG, D.O.
OKLAHOMA CITY

JAY D. CUNNINGHAM, D.O.
OKLAHOMA CITY

DUANE KOEHLER, D.O.
TULSA

C. MICHAEL OGLE, D.O.
BARTLESVILLE

DENNIS J. CARTER, D.O.
POTEAU

May 25, 2022

VIA EMAIL [REDACTED]
AND U.S. MAIL

Lisa Baracker, D.O. (#7574)
[REDACTED]

Re: Notice of Hearing re OSBOE v. Lisa
Baracker, D.O. (No. OSBOE-2021-223)

Dear Dr. Baracker:

Please be advised that you are required to appear on the Probation, Monitoring and Hearing Docket before the Oklahoma State Board of Osteopathic Examiners at its next meeting on **June 16, 2022. All such appearances for this docket are set for 9:00 a.m.** The Hearing Docket will be held in the large meeting room at the Board's Office, 4848 N. Lincoln Blvd., Ste. 100, Oklahoma City, Oklahoma.

Join Zoom Meeting:

<https://zoom.us/j/98817835727?pwd=R093Myt6NFA2VHhBUDNFskZyZ2RQZz09>

Meeting ID: **988 1783 5727**

Password: **060826**

Find your local number: <https://zoom.us/u/aGp5kcByB>

Please let us know in advance whether you intend to appear at the meeting by Zoom or in person.

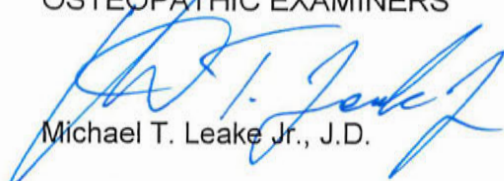
Be further advised that at the conclusion of the Hearing, the Board may take no action, or any action allowed by provisions of the Oklahoma Osteopathic Medicine Act, 59 O.S. Section 620 et. seq., including reprimand, probation, suspension or revocation.

If you are represented by counsel, a courtesy copy of this Notice has been provided to them. Please feel free to contact us if you have any questions.

OSBOE Q2 BOARD MATERIALS 0035

Very truly yours,

OKLAHOMA STATE BOARD OF
OSTEOPATHIC EXAMINERS



Michael T. Leake Jr., J.D.

MTL/kc

CC: **VIA Email elizabeth.scott@crowedunlevy.com**
AND U.S. MAIL

Ms. Elizabeth Scott, J.D.
Crowe & Dunlevy, Attorneys and Counselors at Law
Braniff Building
324 N. Robinson Ave, Ste 100
Oklahoma City, OK 73102
(405) 234-3248
(405) 272-5940

OSBOE HISTORY SHEET

Lisa Baracker, D.O.

Family Practice

Okla. Lic Number: 7574

Case Number: 2021-223 (JM)

Status: Licensed with Conditions

TOTAL COSTS AND FINES:

- X Monthly Administrative Fee: \$100/month

1-11-2022INTERIM ORDER TABLING APPLICATION

- X Undergo an assessment to review the issues raised at the December 9, 2021 Board Meeting, specifically past employment and post-graduate training
- X Sign any and all authorizations necessary to released the finding of the assessment directly to the Board
- X Bear any related financial costs and expenses
- X Reappear before Board to review all documents and information

4-15-2022ORDER GRANTING LICENSE WITH TERMS AND CONDITIONS

- X 2 year term of conditions on license
 - Practice is limited to active employment in an ACGME accredited residency program only. No moonlighting or outside practice
 - Zero-tolerance policy for poor professional communication
 - Complete a Professional Communications Certification course, such as Crucial Conversations, or equivalent as approved by the Board.
 - Provide Board with proof of successful completion of course
- X Monthly Administrative Maintenance fee \$100/month
 - Bear any financial costs of any expenses related to this or other orders
- X Sign any and all authorizations to release all reports, documents, etc directly to the Board
- X Appear before the Board in compliance with this Order on June 16, 2022

APR 15 2022

IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

IN THE MATTER OF LISA)
BARACKER, D.O., APPLICANT FOR) Case No. 2021-223 (JM)
ISSUE OF LICENSE)
(Osteopathic Medical License No.
7574)

**ORDER GRANTING LICENSE WITH
TERMS AND CONDITIONS**

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a special meeting of the Board on March 24, 2022. Lisa Baracker, D.O. ("Dr. Baracker") appeared in person and with counsel, Elizabeth Scott. The Board's Special Investigator, John Mobley, and Dr. Vanessa Meuniot, McAlester Regional Program Director, also appeared and gave sworn testimony.

This Order is issued pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 620 et. seq. and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 et. seq.

The Board, after reviewing Dr. Baracker's Application for Licensure and being fully advised, enters this Order Granting Oklahoma License with Terms and Conditions.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Board that, for good cause shown, Dr. Baracker's application for Licensure is hereby **GRANTED** and subject to the following terms and conditions:

1. That Dr. Baracker's license, number 7574 is under a two (2) year term of conditions as set forth herein. Such conditions may be extended or continued at the discretion of the Board.
2. That Dr. Baracker is limited to practice only as actively employed in an ACGME accredited residency program. No moonlighting or other outside practice shall be permitted during the aforesaid period.
3. That there will be a zero-tolerance policy for poor professional communication.
4. That Dr. Baracker shall successfully complete a Professional Communications

Certification Course, such as Crucial Conversations, or equivalent as approved by the Board. Dr. shall provide the Board with proof of successful completion of the course.


5. That Dr. Barracker is assessed an ongoing monthly Administrative Maintenance fee of one hundred dollars (\$100) due by the first day of each month. Dr. Baracker's first monthly fee payment is due on May 1, 2022 and continues monthly during the aforesaid period.
6. That Dr. Baracker shall bear the financial costs of any expenses incurred from this Order.
7. That Dr. Baracker shall ensure all authorizations are signed and completed to release all reports, documents, etc., directly to the Board.
8. That Dr. Baracker is required to notify the Board within fourteen (14) days of any changes to her residential or practice address.
9. That Dr. Baracker is required to notify the Board within fourteen (14) days of any changes to her cell phone number.
10. That Dr. Baracker complete the Compliance Information Request Form within ten (10) days of signing this Order. (Exhibit A, Compliance Information Request Form).
11. That Dr. Baracker complete the Monthly Supervision Self-Report by the tenth (10th) day of each month. (Exhibit B, Monthly Supervision Self-Report).
12. That Dr. Baracker appear before the Board in compliance with this Order on June 16, 2022.
13. In the event Dr. Baracker leaves the State of Oklahoma to practice medicine in

another jurisdiction, and surrenders her license here in Oklahoma, the terms and conditions of this Order shall be tolled.

This Order is a public record and therefore subject to the Oklahoma Open Records Act.

Further, This Order may be reportable to the National Practitioner Data Bank ("NPDB") pursuant to federal law, including but not limited to, 45 CFR Part 60.

IT IS HEREBY ORDERED AND EFFECTIVE this 15th day of April 2022.



Katie Templeton, J.D.
Board President
State Board of Osteopathic Examiners

Oklahoma State Board of Osteopathic Examiners

4848 N. Lincoln Blvd., Suite 100 Oklahoma City, OK 73105

Phone: 405-528-8625

Fax: 405-557-0653



COMPLIANCE INFORMATION REQUEST

PLEASE COMPLETE AND RETURN THIS FORM AS SOON AS POSSIBLE. THIS INFORMATION WILL BE USED BY THE BOARD INVESTIGATOR, AND WILL NOT BECOME PART OF YOUR PUBLIC FILE.

NAME: _____ LICENSE NO. _____

DOB: _____ SEX: _____ SSN: _____

MAILING ADDRESS: _____

BUSINESS ADDRESS: _____

RESIDENCE ADDRESS: _____

ADD'L BUSINESS ADDRESS(ES): _____

RESIDENCE TELEPHONE: _____

CELL PHONE: _____

BUSINESS TELEPHONE: _____

EMAIL ADDRESS: _____

OTHER STATES LICENSED IN: _____

HOSPITAL PRIVILEGES: _____

OSBOE Q2 BOARD MATERIALS 0041

EXHIBIT

A

Name: _____

Reporting Period (MO/YR): _____

MONTHLY SUPERVISION SELF-REPORT

Please complete this report and return to the office of the Board, 4848 N. Lincoln Blvd., Suite 100, Oklahoma City, OK 73105 (Fax 405.557.0653) by the 10th of the month following the reporting period. Failure to do so may result in a Citation. Please use additional paper as necessary.

- 1.) Has your home, practice address or telephone number changed since your last report?
_____ If yes, please list your current address and telephone number.

HOME: _____

PRACTICE: _____

CELL: _____

EMAIL: _____

- 2.) How many hours do you typically work per week? _____

- 3.) If you are planning to take vacation, please provide the dates and location: _____

- 4.) **Since your last report:** List any hospitals, licensing authorities, governmental agencies, or other entities that have taken action to limit, suspend, revoke, or modify privileges: _____

- 5.) What is the current status of your OBN/DEA narcotics permits? _____

- 6.) **Since your last report:** Describe any previously unreported legal actions pending or actions resolved (criminal and civil): _____

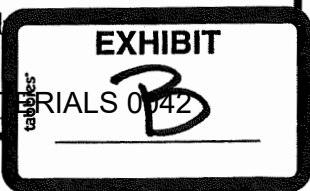
- 7.) **Since your last report:** If you have been treated by a health care provider, who provided the care and what was the reason? _____

- 8.) If any medications were prescribed for your use, what were the medications, the quantities, and dosage. _____

- 9.) Please communicate any progress you've made in addressing the terms and conditions of your board order(s): _____

- 10.) If your Board Order requires attendance in OHPP meetings or therapy, attach sheets showing meetings attended.

Signature: _____ OSBOE Q2 BOARD MATERIALS 0042



IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA

RECEIVED/FILED

IN THE MATTER OF LISA)
BARACKER, D.O., APPLICANT FOR)
ISSUE OF LICENSE)

Case No. 2021-223 (RZ)

JAN 11 2022

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

INTERIM ORDER TABLING APPLICATION

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a regular meeting of the Board on December 9, 2021. Lisa Baracker, D.O. ("Dr. Baracker"), applicant for licensure, appears without counsel on her Application to practice Osteopathic Medicine in the State of Oklahoma.

This Order is issued pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 620 *et. seq.* and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et. seq.*

After reviewing Dr. Baracker's Application and hearing sworn testimony, the Board enters this Interim Order Tabling Application ("Order"). Future consideration of this Application will occur upon the following terms and conditions:

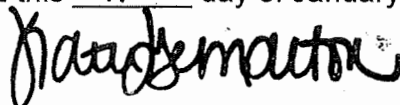
1. In order to protect the public, Dr. Baracker shall undergo an assessment determined by Board Staff to review the issues raised at the December 9, 2021 Board Meeting, specifically to include a review of past employment and post-graduate training.
2. In order to protect the public, Dr. Baracker shall sign any and all authorizations necessary to release the findings of the assessment directly to the Board.
3. Dr. Baracker's Application shall remain tabled until such time as the Board receives the requested documentation and/or information in this Order.
4. Dr. Baracker shall bear the financial costs of any expenses incurred herein, including but not limited to the cost of any hearings, investigations, or evaluations that are ordered or result from the Board's consideration of Dr. Baracker's Application.
5. Following receipt of the requested documentation and information, Dr. Baracker will be scheduled at the next meeting of the Board for review of all documents and for any other issues raised by Dr. Baracker's Application and history.

6. This Order is not a final determination of this Board and is therefore not appealable as a final order.

7. The Board has not reached any final determination in the Application, and nothing in this Order shall guarantee further licensure of Dr. Baracker.

This Order is a public record and therefore subject to the Oklahoma Open Records Act. Further, this Order may be reportable to the National Practitioner Data Bank ("NPDB") pursuant to federal law, including but not limited to, 45 CFR Part 60. Moreover, any violation of this Order may result in a referral to the Oklahoma Attorney General for the unauthorized practice of osteopathic medicine in the State of Oklahoma.

IT IS HEREBY ORDERED AND EFFECTIVE this 11th day of January 2022.



Katie Templeton, J.D.
Board President
State Board of Osteopathic Examiners

DUSTIN
DAVIS, D.O.
7059



Oklahoma State Board of Osteopathic Examiners

BOARD MEMBERS

KATIE TEMPLETON, J.D.
PRESIDENT
OKLAHOMA CITY

BRET LANGERMAN, D.O.
VICE PRESIDENT
MUSTANG

CATHERINE C. TAYLOR, J.D.
SECRETARY-TREASURER
TULSA

LEROY E. YOUNG, D.O.
OKLAHOMA CITY

JAY D. CUNNINGHAM, D.O.
OKLAHOMA CITY

DUANE KOEHLER, D.O.
TULSA

C. MICHAEL OGLE, D.O.
BARTLESVILLE

DENNIS J. CARTER, D.O.
POTEAU

May 25, 2022

VIA EMAIL [REDACTED]
AND U.S. MAIL

Dustin Davis, D.O. (#7059)
[REDACTED]

Re: Notice of Hearing re OSBOE v. Dustin
Davis, D.O. (No. OSBOE-2020-72)

Dear Dr. Davis:

Please be advised that you are required to appear on the Probation, Monitoring and Hearing Docket before the Oklahoma State Board of Osteopathic Examiners at its next meeting on **June 16, 2022. All such appearances for this docket are set for 9:00 a.m.** The Hearing Docket will be held in the large meeting room at the Board's Office, 4848 N. Lincoln Blvd., Ste. 100, Oklahoma City, Oklahoma.

Join Zoom Meeting:

<https://zoom.us/j/98817835727?pwd=R093Myt6NFA2VHhBUDNFskZyZ2RQZz09>

Meeting ID: **988 1783 5727**

Password: **060826**

Find your local number: <https://zoom.us/u/aGp5kcByB>

Please let us know in advance whether you intend to appear at the meeting by Zoom or in person.

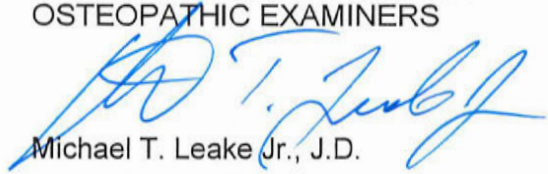
Be further advised that at the conclusion of the Hearing, the Board may take no action, or any action allowed by provisions of the Oklahoma Osteopathic Medicine Act, 59 O.S. Section 620 et. seq., including reprimand, probation, suspension or revocation.

If you are represented by counsel, a courtesy copy of this Notice has been provided to them. Please feel free to contact us if you have any questions.

OSBOE Q2 BOARD MATERIALS 0046

Very truly yours,

OKLAHOMA STATE BOARD OF
OSTEOPATHIC EXAMINERS

A handwritten signature in blue ink, appearing to read "Michael T. Leake Jr.", is written over the typed name.

Michael T. Leake Jr., J.D.

MTL/kc

OSBOE HISTORY SHEET

Dustin Davis, D.O.

Family Practice

Okla. Lic Number: 7059

Case Number: 2020-72 (JM)

Status: Licensed with terms of Monitoring

TOTAL COSTS AND FINES:

- X Monthly Administrative Fee: \$100/month

7-7-2020 ORDER GRANTING APPLICATION FOR LICENSURE WITH TERMS OF MONITORING

- X License granted with conditions
- X Sign and complete 3 year OHPP contract. Sign a release for the Board to obtain any records from, or communicate with OHPP
- X Continue to see counselor during the entirety of monitoring period. Counselor will send quarterly reports to the Board; Dr. will sign release for the Board to obtain any records from or communicate with counselor.
- X Any authorization for release of records shall instruct records be sent directly to 4848 N. Lincoln Blvd, Oklahoma City, OK 73105; shall instruct releasing facility to communicate directly with the Board staff
- X Complete a Compliance Information Request form and submit to Board within 30 days of Order
- X Complete a Monthly Supervision Self-Report form that is required to be submitted by 10th of each month
- X Maintain monthly contact with Board Investigator
- X Administrative Maintenance fee \$100/month for duration of monitoring, due 1st of each month
- X Appear at regularly scheduled Board meeting as requested by Board/per Dr.'s written request



OKLAHOMA HEALTH PROFESSIONALS PROGRAM

June 7, 2022

Oklahoma State Board of Osteopathic Examiners
4848 N Lincoln Blvd # 100
Oklahoma City, OK 73105

Regarding: Dustin Davis, DO

This letter is in reference to Dustin Davis, DO. Dr. Davis signed a 3-year contract with the Oklahoma Health Professionals Program (OHPP) on July 9th, 2020. He is required to submit breathalyzer three times daily, attend caduceus meetings weekly, additional recovery support meetings and random drug/alcohol screens. All alcohol/drug screens have been negative, he is current on all recovery support meetings and logs, and 2nd QTR 2022 Caduceus attendance was 100%, currently 4th QTR 2021 Caduceus attendance is 100%.

Dr. Davis recently missed 3 check ins and was fined a \$150 non-compliance fee. Dr. Davis stated it was because he simply forgot to check in. Dr. Davis did submit to a UDS and Peth. The UDS came back negative and the Peth is still pending. Dr. Davis recently underwent an evaluation with Dr. Julio Rojas recommends that Dr. Davis continue with OHPP during the duration of his contract. Dr. Rojas also recommends that Dr. Davis obtain a sponsor and rework the 12 -Steps. OHPP has made sure this has been implemented. Please feel free to contact OHPP at (405) 601-2536 if you have any questions or need anything further.

If you need further information, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Kuhn', with a long horizontal flourish extending to the right.

John Kuhn, MD
OHPP Director

JK/th



IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA

RECEIVED/FILED

IN THE MATTER OF DUSTIN DAVIS,)
D.O., APPLICANT FOR LICENSURE)

Case No. 2020-72

JUL 07 2020

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

**ORDER GRANTING APPLICATION FOR LICENSURE WITH
TERMS OF MONITORING**

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a regular meeting of the Board on June 18, 2020. Dustin Davis, D.O. ("Dr. Davis") appears at the hearing on this date via Zoom due to the on-going Covid-19 Pandemic. Dr. Davis presented without counsel for the hearing on his Application for Licensure to practice osteopathic medicine in the State of Oklahoma.

This Order is issued pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 620 *et. seq.* and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et. seq.*

The Board, after reviewing Dr. Davis's Application for Licensure and hearing sworn testimony from Dr. Davis, enters this Order Granting Application for Licensure with Terms of Monitoring.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Board that Dr. Davis's Application for Licensure is hereby GRANTED and subject to the following terms and conditions:

1. That Dr. Davis will sign and complete a three (3) year contract with Oklahoma Health Professional Program ("OHPP") where he is required to follow all terms and conditions of the contract. Dr. Davis shall sign a release for the Board to obtain any records from, or communicate with, OHPP regarding Dr. Davis.

2. That Dr. Davis will continue to see his counselor during the entirety of his monitoring period. Dr. Davis's counselor is required to send quarterly reports to the Board on Dr. Davis. Dr. Davis shall sign a release for the Board to obtain any records from, or communicate with, Dr. Davis's counselor.
3. That any authorization for the release of records signed by Dr. Davis pursuant to this Order shall instruct that records be sent directly to the Board at 4848 N. Lincoln Blvd., Ste. 100, Oklahoma City, Oklahoma 73105.
4. That any authorization for the release of records signed by Dr. Davis pursuant to this Order shall instruct the releasing facility that they are permitted to communicate directly with OSBOE Board Staff.
5. That Board staff shall have oversight of this Order on behalf of the Board, and the authority to direct Dr. Davis to provide any and all documents and records relevant to this matter, including but not limited to, the signing of any authorizations necessary for the release any and all reports from OHPP or Dr. Davis's counselor directly to the Board.
6. That Dr. Davis complete a Compliance Information Request form that is required to be submitted to Board staff within 30 days of this Order. (Exhibit A, Compliance Information Request Form.)
7. That Dr. Davis will complete a Monthly Supervision Self-Report form that is required to be submitted to Board staff by the 10th day of each month. (Exhibit B, Monthly Supervision Self-Report).
8. That Dr. Davis will maintain monthly contact with his Board Investigator.
9. That Dr. Davis is required to notify the Board within fourteen (14) days of any

changes to his residential or practice address.

10. That Dr. Davis is required to notify the Board within fourteen (14) days of any changes to his cell phone number.

11. That Dr. Davis is assessed an ongoing monthly Administrative Maintenance fee of one hundred dollars (\$100) due by the first day of each month. Dr. Davis's first monthly fee payment is due on September 1, 2020, and continues monthly during the pendency of his monitoring.

12. That Dr. Davis is only required to appear at any future Board Meetings if specifically requested by the Board. Dr. Davis may request, in writing and at any time, to appear before the Board at a regularly scheduled Board Meeting.

13. Any violation of this Order may result in discipline of Dr. Davis's license to practice osteopathic medicine in the State of Oklahoma.

This Order is a public record and therefore subject to the Oklahoma Open Records Act.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED this 7th day of July 2020.

DJ CARTER

Dennis Carter, D.O.
Board President
State Board of Osteopathic Examiners

CALEB
HENTGES,
D.O.

7475

LINDA SCOGGINS, J.D.



Oklahoma State Board of Osteopathic Examiners

BOARD MEMBERS

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OKLAHOMA CITY

DUANE KOEHLER, D.O.
TULSA

C. MICHAEL OGLE, D.O.
BARTLESVILLE

DENNIS J. CARTER, D.O.
POTEAU

May 25, 2022

VIA EMAIL [REDACTED]
AND U.S. MAIL

Caleb Hentges, D.O. (#7475)
[REDACTED]

Re: Notice of Hearing re OSBOE v. Caleb
Hentges, D.O. (No. OSBOE-2021-046)

Dear Dr. Hentges:

Please be advised that you are required to appear on the Probation, Monitoring and Hearing Docket before the Oklahoma State Board of Osteopathic Examiners at its next meeting on **June 16, 2022. All such appearances for this docket are set for 9:00 a.m.** The Hearing Docket will be held in the large meeting room at the Board's Office, 4848 N. Lincoln Blvd., Ste. 100, Oklahoma City, Oklahoma.

Join Zoom Meeting:

<https://zoom.us/j/98817835727?pwd=R093Myt6NFA2VHhBUDNFskZyZ2RQZz09>

Meeting ID: **988 1783 5727**

Password: **060826**

Find your local number: <https://zoom.us/u/aGp5kcByB>

Please let us know in advance whether you intend to appear at the meeting by Zoom or in person.

Be further advised that at the conclusion of the Hearing, the Board may take no action, or any action allowed by provisions of the Oklahoma Osteopathic Medicine Act, 59 O.S. Section 620 et. seq., including reprimand, probation, suspension or revocation.

If you are represented by counsel, a courtesy copy of this Notice has been provided to them. Please feel free to contact us if you have any questions.

OSBOE Q2 BOARD MATERIALS 0054

Very truly yours,

OKLAHOMA STATE BOARD OF
OSTEOPATHIC EXAMINERS



Michael T. Leake Jr., J.D.

MTL/kc

CC: **VIA Email lscoggins@dsda.com**
AND U.S. MAIL

Ms. Linda G. Scoggins, J.D.
Doerner Saunders Daniel & Anderson
210 Park Avenue
Suite 1200
Oklahoma City, OK 73102
(405) 319-3510
(405) 319-3521

OSBOE HISTORY SHEET

Caleb Hentges, D.O.

Pediatrics

Okla. Lic Number: 7475

Case Number: 2021-046 (RZ)

Status: Licensed with Conditions

TOTAL COSTS AND FINES:

- Costs: Assessed: \$0.00

4-7-2021 INTERIM ORDER TABLING APPLICATION

- X Board staff shall contact Sanford Health (SD) and obtain the Computer Audit Log used during the investigation into Dr. Hentges conduct during his residency; obtain answers to all questions posed by Board regarding Sanford Health's dismissal of Dr. Hentges from their residency program
- X Board staff shall contact OSU-COM and obtain the information/documentation the facility received regarding Dr. Hentges in consideration with his application for acceptance into their residency program
- X Appear before Board for review once all requested documentation and information has been received

7-9-2021 SECOND INTERIM ORDER TABLING APPLICATION

- X Undergo a psychiatric evaluation by Julio Rojas, Ph.D., or another Board approved evaluator, and sign and all authorizations necessary
- X Obtain a digital copy of the entire audit log showing his access into electronic medical record system and/or patient charts during his participation in Sanford Health residency program for the months of June 2020, July 2020, and August 2020, and sign any and all authorizations necessary

10-11-2021 ORDER GRANTING LICENSE WITH CONDITIONS

- X License is restricted to his training program only
- X Comply with the recommendations of Julio Rojas, Ph.D.:
 - X Establish care with a Board-approved counselor to complete 18 therapy Sessions (current – 16 of 18 sessions completed)
 - X Provide the Board with quarterly reports from residency program director
- X Sign and complete all authorizations necessary to release all reports, documents, etc., directly to the Board as the result of any evaluation/counseling ordered
- X Bear the financial costs of any and all related expenses

IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA

IN THE MATTER OF CALEB)
HENTGES, D.O., Osteopathic)
Medical License No. 7475)

APPLICANT FOR ISSUE OF
LICENSE

RECEIVED/FILED

OCT 11 2021

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

ORDER GRANTING LICENSE WITH
CONDITIONS

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a regular meeting of the Board on September 16, 2021. Caleb Hentges, D.O. ("Dr. Hentges") presented with counsel, Linda Scoggins. The Board's Chief Investigator, Richard Zimmer, also appeared and gave testimony.

This Order is issued pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 620 et. seq. and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 et. seq.

The Board, after reviewing Dr. Hentges's Application for Licensure and previous orders, and being fully advised, enters this Order Granting License with Terms and Conditions.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Board that, for good cause shown, of Dr. Hentges's application for Licensure is hereby **GRANTED** and subject to the following terms and conditions:

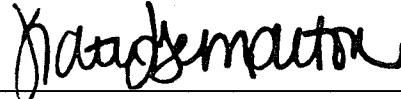
1. That Dr. Hentges's Oklahoma Osteopathic License is restricted to his training program only.
2. That Dr. Hentges must comply with the following recommendations by Julio Rojas, Ph.D.:
 - a. Establish care with a Board-approved counselor to complete eighteen (18) therapy sessions; and
 - b. Provide the Board with quarterly reports from Dr. Hentges's residency program director.
3. That Dr. Hentges must sign and complete all authorizations necessary to release all reports, documents, etc., directly to the Board as the result of any evaluation or counseling ordered herein.

ORDER GRANTING LICENSE WITH CONDITIONS
Caleb Hentges, D.O. (Applicant)

4. Dr. Hentges shall bear the financial costs of any expenses incurred from this Order.
5. That Dr. Hentges is required to notify the Board within fourteen (14) days of any changes to his residential or practice address.
6. That Dr. Hentges is required to notify the Board within fourteen (14) days of any changes to his cell phone number.
7. Any violation of this Order may result in further discipline of Dr. Hentges's license to practice osteopathic medicine in the State of Oklahoma.

This Order is a public record and therefore subject to the Oklahoma Open Records Act.

IT IS HEREBY ORDERED AND EFFECTIVE this 11th day of October 2021.



Katie Templeton, J.D.
Board President
State Board of Osteopathic Examiners

CC: **VIA U.S. MAIL**

Ms. Linda G. Scoggins, J.D.
Doerner Saunders Daniel & Anderson
210 Park Avenue
Suite 1200
Oklahoma City, OK 73102
405/319-3510
405/319-3521 (Facsimile)
lscoggins@dnda.com

Attorney for Respondent,
Caleb Hentges, D.O.

RECEIVED/FILED

JUL 09 2021

IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

IN THE MATTER OF CALEB)
HENTGES, D.O., APPLICANT FOR) Case No. 2021-046 (RZ)
ISSUE OF LICENSE)

SECOND INTERIM ORDER TABLING APPLICATION

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a regular meeting of the Board on June 17, 2021. Caleb Hentges, D.O. ("Dr. Hentges"), an applicant for full licensure, appears in person at the hearing on this date. Dr. Hentges presents without licensed counsel on his Application for full licensure to practice Osteopathic Medicine in the State of Oklahoma. Kevin Klauer, D.O., appeared by Zoom as an advisor for Dr. Hentges.

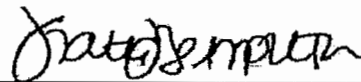
This Order is issued pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 620 *et. seq.* and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et. seq.*

After reviewing Dr. Hentges's Application and hearing sworn testimony, the Board enters this Second Interim Order Tabling Application ("Order"). Future consideration of this Application will occur upon the following terms and conditions:

1. In order to protect the public, Dr. Hentges shall undergo a psychiatric evaluation by Julio Rojas, Ph.D., or another Board-approved evaluator.
 - a. In order to protect the public, Dr. Hentges shall sign any and all authorizations necessary to release the findings of the psychiatric evaluation directly to the Board.
2. In order to protect the public, Dr. Hentges shall obtain a digital copy of the entire audit log showing his access into the electronic medical record system and/or patient charts during his participation in the residency program at Sanford Health in South Dakota for the months of June 2020, July 2020, and August 2020.
 - a. In order to protect the public, Dr. Hentges shall sign any and all authorizations necessary to release the audit information directly to the Board. The Board agrees to keep any identifying patient information confidential and privileged from public disclosure.

3. In order to protect the public, Dr. Hentes shall obtain a copy of his work schedule during his participation in the residency program at Sanford Health in South Dakota for the month of July 2020.
4. Dr. Hentges's Application shall remain tabled until such time as the Board receives the requested documentation and/or information in this Order.
5. Dr. Hentges shall bear the financial costs of any expenses incurred herein, including but not limited to the cost of any hearings, investigations, or evaluations that are ordered or result from the Board's consideration of Dr. Hentges's Application.
6. Following receipt of the requested documentation and information, Dr. Hentges will be scheduled to appear before the Board for review of all documents and for any other issues raised by Dr. Hentges's Application and history.
7. This Order is not a final determination of this Board and is therefore not appealable as a final order.
8. The Board has not reached any final determination in the Application, and nothing in this Order shall guarantee further licensure of Dr. Hentges.
9. This Order is a public record and, therefore, subject to the Oklahoma Open Records Act.

IT IS HEREBY ORDERED AND EFFECTIVE this 9th day of July 2021.



Katie Templeton, J.D.
Board President
State Board of Osteopathic Examiners

IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA

IN THE MATTER OF CALEB)
HENTGES, D.O., APPLICANT FOR)
ISSUE OF LICENSE)

Case No. 2021-046 (R.Z.)

RECEIVED/FILED

APR 07 2021

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

INTERIM ORDER TABLING APPLICATION

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a regular meeting of the Board on March 18, 2021. Caleb Hentges, D.O. ("Dr. Hentges"), applicant for licensure, appears at the hearing on this date via Zoom due to the ongoing Covid-19 Pandemic. Dr. Hentges presents without counsel on his Application to practice Osteopathic Medicine in the State of Oklahoma.

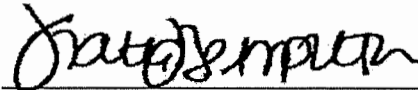
This Order is issued pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 620 *et. seq.* and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et. seq.*

After reviewing Dr. Hentges's Application and hearing sworn testimony, the Board enters this Interim Order Tabling Application. Future consideration of this Application will occur upon the following terms and conditions:

1. In order to protect the public, the Board Staff shall contact Dr. Hentges's former residency program, Sanford Health in South Dakota, and obtain the following information and/or documentation:
 - a. Computer Audit Log used during the investigation into Dr. Hentges conduct during his residency; AND
 - b. Answers to all questions posed by the State Board of Osteopathic Examiners to Sanford Health regarding their dismissal of Dr. Hentges from their residency program.
2. In order to protect the public, the Board Staff shall contact Oklahoma State University Center for Osteopathic Medicine and obtain the following information and/or documentation:
 - a. The facility received regarding Dr. Hentges in consideration with his Application for acceptance into their residency program.

3. Dr. Hentges's Application shall remain tabled until such time as the Board receives the requested documentation and/or information in this Interim Order.
4. Following receipt of the requested documentation and information, Dr. Hentges will be scheduled to appear before the Board for review of all documents and for any other issues raised by his Application and history.
5. This Interim Order is not a final determination of this Board and is therefore not appealable as a final order.
6. The Board has not reached any final determination in the Application, and nothing in this Order shall guarantee further licensure of Dr. Hentges.
7. This Interim Order is a public record and, therefore, subject to the Oklahoma Open Records Act.

IT IS HEREBY ORDERED AND EFFECTIVE this 7th day of April 2021.



Katie Templeton, J.D.
Board President
State Board of Osteopathic Examiners

ANDREW
LOVELL,
D.O.
5921



Oklahoma State Board of Osteopathic Examiners

BOARD MEMBERS

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PRESIDENT
OKLAHOMA CITY

BRET LANGERMAN, D.O.
VICE PRESIDENT
MUSTANG

CATHERINE C. TAYLOR, J.D.
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LERROY E. YOUNG, D.O.
OKLAHOMA CITY

JAY D. CUNNINGHAM, D.O.
OKLAHOMA CITY

DUANE KOEHLER, D.O.
TULSA

C. MICHAEL OGLE, D.O.
BARTLESVILLE

DENNIS J. CARTER, D.O.
POTEAU

May 25, 2022

VIA EMAIL [REDACTED]
AND U.S. MAIL

Andrew Lovell, D.O. (#5921)
[REDACTED]

Re: Notice of Hearing re OSBOE v. Andrew
Lovell, D.O. (No. OSBOE-2021-043)

Dear Dr. Lovell:

Please be advised that you are required to appear on the Probation, Monitoring and Hearing Docket before the Oklahoma State Board of Osteopathic Examiners at its next meeting on **June 16, 2022. All such appearances for this docket are set for 9:00 a.m.** The Hearing Docket will be held in the large meeting room at the Board's Office, 4848 N. Lincoln Blvd., Ste. 100, Oklahoma City, Oklahoma.

Join Zoom Meeting:

<https://zoom.us/j/98817835727?pwd=R093Myt6NFA2VHhBUDNFskZyZ2RQZz09>

Meeting ID: **988 1783 5727**

Password: **060826**

Find your local number: <https://zoom.us/u/aGp5kcByB>

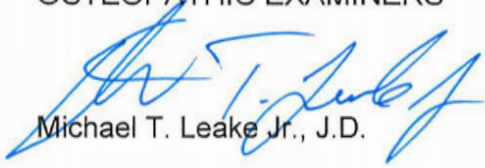
Please let us know in advance whether you intend to appear at the meeting by Zoom or in person.

Be further advised that at the conclusion of the Hearing, the Board may take no action, or any action allowed by provisions of the Oklahoma Osteopathic Medicine Act, 59 O.S. Section 620 et. seq., including reprimand, probation, suspension or revocation.

If you are represented by counsel, a courtesy copy of this Notice has been provided to them. Please feel free to contact us if you have any questions.

Very truly yours,

OKLAHOMA STATE BOARD OF
OSTEOPATHIC EXAMINERS

A handwritten signature in blue ink, appearing to read "Michael T. Leake Jr.", is written over the typed name.

Michael T. Leake Jr., J.D.

MTL/kc

OSBOE HISTORY SHEET

Andrew Lovell, D.O.

Emergency Medicine

Okla. Lic Number: 5921

Case Number: 2021-043 (RZ)

Status: Monitoring

TOTAL COSTS AND FINES:

- Costs: \$1,600.00 Due 1-11-2023
- Monthly Probationary Fee \$100/month
(Payment behind 3 months as of 6/8/2022)

COMPLAINT:

- Agreement Not to Practice resulted in a reinstatement of Probation with Terms and Conditions

11-17-2021 AGREEMENT NOT TO PRACTICE

- X Immediate cease in practice listed as "Suspended" on OSBOE public physician profile
- X Agreement will remain in full force and effect until such time as Dr. appears before the Board
- X Acknowledges that he breached the March 16, 2021 contract with OHPP by testing positive for marijuana, benzodiazepines, and opioids
- X Understands and acknowledges that any breach of his OHPP contract could result in action against his osteopathic medical license
- X Sign all necessary authorizations for Board to directly receive documents, reports, etc in connection with this agreement
- X Compliance Information request form within 10 days of signing agreement
- X Monthly Supervision Self-Report form by the 10th of each month

1-11-2022 ORDER OF PROBATION WITH TERMS AND CONDITIONS

- X License is restricted under a 5 year Probation
- X Comply with all of the following recommendations from the FRC Assessment:
 - X Professional Monitoring with OHPP and TPHP
 - X OHPP approved Psychiatrist or Addiction Medicine Physician
 - X OHPP approved individual therapist, with weekly therapy for 3 months
(then frequency to be determined by provider)
 - X Mutual aid meetings at least 3x week
 - X Weekly Caduceus meeting
 - X Toxicological testing through OHPP, with observed urines
- X Continue with current Vivitrol therapy

OSBOE HISTORY SHEET

- X Provide a copy of this Order to any employer and hospital credentialing staff
- X Practice limit 160 hrs per month
 - Maintain a record of the hours he has worked during probation, and provide to Board upon request
 - Pay recovery costs \$1,600.00 by 1-11-2023
 - Pay monthly probationary fee \$100 per month, due 1st of each month during pendency of probation
- X Bear any financial costs of any expenses incurred from this Order
- X Sign and complete all authorizations to release all reports, documents, etc. directly to the Board
- X Appear at 3-24-2022 Regular Board Meeting – was continued to 6-16-2022 Board meeting



OKLAHOMA HEALTH PROFESSIONALS PROGRAM

June 7, 2022

Oklahoma State Board of Osteopathic Examiners
4848 N Lincoln Blvd # 100
Oklahoma City, OK 73105

Regarding: Andrew Lovell, DO

This letter is in reference to Andrew Lovell, DO. Dr. Lovell signed a contract with the Oklahoma Health Professionals Program (OHPP) on March 16th, 2021. Dr. Lovell's contract with the Oklahoma Health Professionals Program (OHPP) requires cooperation with the completion of random weekly alcohol/drug screens and participation in weekly Caduceus meetings. All alcohol/drug screens have been negative.

All alcohol/drug screens for Dr. Lovell have been negative. He maintains consistent participation in Caduceus, recovery meetings, and required therapy. His Caduceus attendance for the 2nd QTR 2022 was 42% of the required 75%.

If you need further information, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Kuhn', written over a horizontal line.

John Kuhn, MD
OHPP Director

JK/cc



IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel.)
OKLAHOMA STATE BOARD OF)
OSTEOPATHIC EXAMINERS,)
)
Petitioner,)
)
v.)
)
ANDREW JOSEPH LOVELL, D.O.,)
Osteopathic Medical License No.)
5921,)
)
Respondent.)

Case No. 2021-043 (RZ)

RECEIVED/FILED

JAN 11 2022

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

ORDER OF PROBATION WITH TERMS AND CONDITIONS

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a regular meeting of the Board on December 9, 2021. Andrew Joseph Lovell, D.O. ("Dr. Lovell") presents without counsel. The Board's Chief Investigator, Richard Zimmer, and Oklahoma Health Professionals Program (OHPP) Director, John Kuhn, M.D., also appeared and gave testimony. The purpose of this Hearing was to afford Dr. Lovell a full hearing on the merits after voluntarily agreeing to sign an Agreement Not to Practice.

This Order is issued pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 620 *et. seq.* and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et. seq.*

After reviewing the Agreement Not to Practice, hearing testimony, and being fully advised, the Board finds the following Findings of Fact and Conclusions of Law to be true and correct and proven by clear and convincing evidence.

FINDINGS OF FACT

1. Dr. Lovell is the holder of a license to practice osteopathic medicine in the State of Oklahoma, license number 5921. At the time of the Hearing, Dr. Lovell's license was suspended by agreement.
2. On or about March 12, 2021, the Board received a complaint that Dr. Lovell had shown up to work at McAlester Regional Health Center (MRHC) on February 22,

2021, wherein he was suspected to be impaired. Dr. Lovell was observed at MRHC having slurred speech, unsteady gait, difficulty focusing, and unable to operate the computer. Dr. Lovell was evaluated onsite at MRHC by an emergency medicine physician and was additionally required to undergo onsite drug testing that revealed positive findings for marijuana (THC), benzodiazepines, and opioids. Dr. Lovell tested negative for alcohol. As a result of the positive findings, Dr. Lovell was sent home and prohibited from working assigned shifts at MRHC.

3. There is no evidence that Dr. Lovell possesses an Oklahoma Medical Marijuana patient card.
4. On or about March 17, 2021, Dr. Lovell met with the Board's Executive Director and Chief Investigator regarding the complaint from MRHC involving concerns of impairment. Dr. Kuhn was present on behalf of OHPP. At this meeting, Dr. Kuhn confirmed that Dr. Lovell had signed a five (5) year contract with OHPP. Dr. Lovell was also required to undergo an evaluation at Acumen Institute in Lawrence, Kansas.
5. On or about August 1, 2021, OHPP notified Board Executive Director that Dr. Lovell had relapsed following a weekend with friends. Dr. Lovell subsequently admitted to Board Investigators that he had consumed alcohol, at least one (1) cannabis edible, and hydrocodone.
6. On or about August 10, 2021, Dr. Lovell voluntarily entered an Agreement Not to Practice with the Board pending his treatment at Florida Recovery Center (FRC) in Gainesville, Florida. The Agreement Not to Practice resulted in Dr. Lovell's Oklahoma license being suspended.
7. On or about November 17, 2021, the Board received a discharge summary dated November 10, 2021, from FRC. Dr. Lovell was recommended to return to work after 2-4 weeks post-discharge and provided he was under monitoring with OHPP and possessed an active Oklahoma license.
8. After hearing all the evidence, the Board ordered that Dr. Lovell be allowed to maintain his license to practice osteopathic medicine under the conditions and limitations as set forth in the Order below.

CONCLUSIONS OF LAW

1. The Board has jurisdiction to hear this matter pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 620 *et seq.*, Rules for the Board, 510 OAC § 1-1-1 *et seq.* and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et seq.*
2. The Board concludes by clear and convincing evidence that Dr. Lovell is in violation of the provisions of the Oklahoma Osteopathic Medicine Act, including specifically, 59 O.S. §§ 637 (A) (8) of the Act, to wit:
 - A. The State Board of Osteopathic Examiners may refuse to admit a person to an examination or may refuse to issue or reinstate or may suspend or revoke any license issued or reinstated by the Board upon proof that the applicant or holder of such a license:
 8. Is incapable, for medical or psychiatric or any other good cause, of discharging the functions of an osteopathic physician in a manner consistent with the public's health, safety and welfare.
3. The Board also concludes that such actions are grounds for imposing any sanction against Dr. Lovell's license as authorized by Board statutes and rules. See 59 O.S. § 620 *et seq.*, Rules for the Board, 510 OAC § 1-1-1 *et seq.* and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et seq.*

ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Board that Dr. Lovell's Agreement Not to Practice is terminated, and his license to practice osteopathic medicine in the State of Oklahoma is reinstated with the following terms and conditions:

1. That Dr. Lovell's license is restricted under a five (5) year term of **PROBATION**. Said probation may be extended or continued at the discretion of the Board.
2. That Dr. Lovell complies with all the following recommendations from the Florida Recovery Center ("FRC") Assessment:
 - a. Professional monitoring with Oklahoma Health Professionals Program and Texas Physician Health Program (TPHP);
 - b. OHPP approved Psychiatrist or Addiction Medicine Physician;
 - c. OHPP approved individual therapist, with weekly therapy for 3 months,

- then frequency to be determined by the provider;
- d. Mutual aid meetings, minimum of three times per week;
 - e. Caduceus meeting weekly;
 - f. Toxicological testing through OHPP, with observed urines;
 - g. Endorsed Dr. Lovell's return to practice 2-4 weeks after discharge, provided he is under contract with OHPP and holds an active license to practice medicine.
3. That Dr. Lovell continue with current Vivitrol therapy.
 4. That Dr. Lovell shall provide a copy of this Order to any employer and hospital credentialing staff.
 5. That Dr. Lovell is limited to practice no more than a total of one hundred sixty (160) hours per month in any state or practice setting.
 6. That Dr. Lovell maintain a record of the hours he has worked during the pendency of his probation which shall be provided to Board Investigators upon request.
 7. That Dr. Lovell is to pay the costs and investigation charges for this case in the amount of sixteen hundred dollars (\$1,600.00). He is to make payment arrangements for this amount with Board Staff and such costs shall be paid within one (1) year of the date of this Order.
 8. That Dr. Lovell is assessed an ongoing monthly Administrative Maintenance fee of one hundred dollars (\$100) due by the first (1st) day of each month. Dr. Lovell's first monthly fee payment is due on February 1, 2022 and continues monthly during the pendency of his probation.
 9. That Dr. Lovell shall bear the financial costs of any expenses incurred from this Order.
 10. That Dr. Lovell shall ensure all authorizations are signed and completed to release all reports, documents, etc., directly to the Board.
 11. That Dr. Lovell is required to notify the Board within fourteen (14) days of any changes to his residential or practice address.
 12. That Dr. Lovell is required to notify the Board within fourteen (14) days of any changes to his cell phone number.

13. That Dr. Lovell may utilize his individual right to consult legal counsel in connection with this inquiry by the Board known as OSBOE-2021-043, this Agreement, and any other inquiry by the Board.
14. That Dr. Lovell complete the Compliance Information Request Form within ten (10) days of signing this Order. (Exhibit A, Compliance Information Request Form).
15. That Dr. Lovell complete the Monthly Supervision Self-Report by the tenth (10th) day of each month. (Exhibit B, Monthly Supervision Self-Report).
16. That Dr. Lovell renew his license yearly as required by the Board's statutes and rules.
17. That Dr. Lovell maintain the required sixteen (16) hours per year of continuing medical education ("CME") credits as required by the Board's statutes and rules.
18. That Dr. Lovell appear before the Board in compliance with the Order on March 17, 2022.
19. In the event Dr. Lovell leaves the State of Oklahoma to practice medicine in another jurisdiction, and surrenders his license here in Oklahoma, the terms and conditions of this Order shall be tolled.

Any violation of this Order may result in further discipline of Dr. Lovell's license to practice osteopathic medicine in the State of Oklahoma.

This Order is a public record and therefore subject to the Oklahoma Open Records Act.

Further, This Order may be reportable to the National Practitioner Data Bank ("NPDB") pursuant to federal law, including but not limited to, 45 CFR Part 60.

IT IS SO ORDERED this 11th day of January 2022.



Katie Templeton, J.D.
Board President
State Board of Osteopathic Examiners

IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA

RECEIVED/FILED

THE STATE OF OKLAHOMA, ex rel.,)
STATE BOARD OF OSTEOPATHIC)
EXAMINERS,)
)
Petitioners,)
)
v.)
)
ANDREW LOVELL, D.O.)
Osteopathic Medicine License No. 5921.)
)
Respondent.)

NOV 17 2021

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

OSBOE-2021-043 (RZ)

AGREEMENT NOT TO PRACTICE

COMES NOW, on this 10th day of August, 2021, Petitioner, the State Board of Osteopathic Examiners ("Board"), by and through their Executive Director and Chief Prosecutor, Michael T. Leake Jr., Oklahoma Bar Association No. 32817, and Respondent, Andrew Lovell, D.O., Oklahoma Osteopathic Medical License No. 5921 ("Dr. Lovell"), to memorize an Agreement between the Board and Dr. Lovell, wherein Dr. Lovell voluntarily agrees not to practice osteopathic medicine within the State of Oklahoma. The terms of this Agreement are the following:

1. Dr. Lovell will not practice osteopathic medicine in the State of Oklahoma, effective immediately upon execution of this Agreement. Dr. Lovell's physician profile page with the Board will display his license as "suspended."
2. This Agreement shall remain in full force and effect until such time as Dr. Lovell appears before the Board. The first opportunity for Dr. Lovell to appear before the Board is on September 16, 2021.
3. Dr. Lovell acknowledges that any practice of medicine with a suspended license may result in further discipline against his osteopathic medical license, including but

not limited to a referral to the Oklahoma Attorney of the State of Oklahoma for the unauthorized practice of medicine.

4. Dr. Lovell acknowledges that he previously enrolled in the Oklahoma Health Professionals Program ("OHPP") on or about March 16, 2021, for a minimum of five (5) years after presenting for an emergency medicine shift at McAlester Regional Medical Center on or about February 22, 2021, wherein he was evaluated for impairment before seeing patients. Dr. Lovell further acknowledges that a drug and alcohol screen at McAlester Regional Medical Center on or about February 22, 2021, revealed a positive finding for marijuana, benzodiazepines, and opioids; and a negative result for alcohol. Moreover, Dr. Lovell acknowledges that he was sent home and prohibited from starting his assigned shift at the McAlester Regional Medical Center Emergency Department following the positive test results on or about February 22, 2021.
5. Dr. Lovell acknowledges that he breached the March 16, 2021, contract with OHPP after he consumed alcohol, at least one (1) cannabis edible, and hydrocodone.
6. Dr. Lovell understands and acknowledges that any violation of his OHPP contract could result in action against his osteopathic medical license.
7. Dr. Lovell acknowledges that he is willing to cooperate with the Board's investigation into the matter known as OSBOE-2021-043, and further agrees to sign all authorizations necessary for Board investigators to gather relevant information from OHPP, the doctor's employer, and any evaluator the doctor is required to see in connection with this Agreement.
8. Dr. Lovell acknowledges that any violation of this executed Agreement may result in

further Board action against his license, including but not limited to suspension, revocation, and/or referral to the Attorney General of the State of Oklahoma for the unauthorized practice of osteopathic medicine.

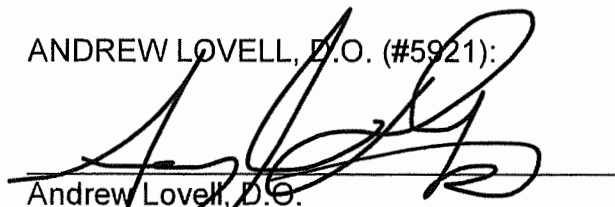
9. Dr. Lovell acknowledges that the execution of this Agreement does not in any way prohibit the Board from filing a Complaint at a future date regarding the facts at issue in OSBOE-2021-043, or assigning investigative/hearing costs or an administrative penalty in connection with this Agreement or the matter known as OSBOE-2021-043.
10. Dr. Lovell acknowledges that he has the right to consult legal counsel in connection with this inquiry by the Board known as OSBOE-2021-043, this Agreement, and any other inquiry by the Board.
11. Dr. Lovell agrees to keep his contact information, including residential address, email address, and cell phone, current with the Board Staff.
12. Dr. Lovell agrees to complete the Compliance Information Request Form within ten (10) days of signing this Agreement. (Exhibit A, Compliance Information Request Form).
13. Dr. Lovell agrees to complete the Monthly Supervision Self-Report by the 10th day of each month. (Exhibit B, Monthly Supervision Self-Report).
14. Dr. Lovell agrees to renew his license yearly as required by the Board's statutes and rules.
15. Dr. Lovell agrees to maintain the required sixteen (16) hours per year of continuing medical education ("CME") credits as required by the Board's statutes and rules.
16. Dr. Lovell acknowledges that this executed Agreement is a public record and subject

to the Oklahoma Open Records Act.

17. Dr. Lovell acknowledges that this executed Agreement is reportable to the National Practitioner Data Bank ("NPDB") according to federal law.

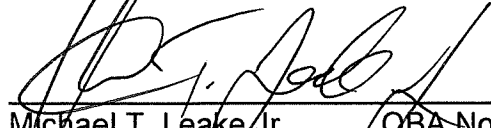
AGREED AND ACCEPTED on this 10 day of August, 2021.

ANDREW LOVELL, D.O. (#5921):

A handwritten signature in black ink, appearing to read 'A. Lovell', is written over a horizontal line. The signature is stylized and cursive.

Andrew Lovell, D.O.
Oklahoma Osteopathic. License. No. 5921
1010 Warren Road
Henryetta, Oklahoma 74437
832/839-0600
Andrewlovell1980@gmail.com

STATE BOARD OF
OSTEOPATHIC EXAMINERS:



Michael T. Leake Jr. OBA No. 32817
4848 N. Lincoln Blvd., Suite 100
Oklahoma City, OK 73105
405/528-8625
405/557-0653 (facsimile)
mleake@osboe.ok.gov

Attorney for the State of Oklahoma,
ex rel. State Board of Osteopathic
Examiners

MELVIN
ROBISON,
D.O.
2832



Oklahoma State Board of Osteopathic Examiners

KATIE TEMPLETON, J.D.
PRESIDENT
OKLAHOMA CITY

BOARD MEMBERS
BRET LANGERMAN, D.O.
VICE PRESIDENT
MUSTANG

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OKLAHOMA CITY

DUANE KOEHLER, D.O.
TULSA

C. MICHAEL OGLE, D.O.
BARTLESVILLE

DENNIS J. CARTER, D.O.
POTEAU

May 25, 2022

VIA EMAIL [REDACTED]
AND U.S. MAIL

Melvin Robison, D.O. (#2832)

Re: Notice of Hearing re OSBOE v. Melvin
Robison, D.O. (No. OSBOE-0814-96)

Dear Dr. Robison:

Please be advised that you are required to appear on the Probation, Monitoring and Hearing Docket before the Oklahoma State Board of Osteopathic Examiners at its next meeting on **June 16, 2022. All such appearances for this docket are set for 9:00 a.m.** The Hearing Docket will be held in the large meeting room at the Board's Office, 4848 N. Lincoln Blvd., Ste. 100, Oklahoma City, Oklahoma.

Join Zoom Meeting:

<https://zoom.us/j/98817835727?pwd=R093Myt6NFA2VHhBUDNFskZyZ2RQZz09>

Meeting ID: **988 1783 5727**

Password: **060826**

Find your local number: <https://zoom.us/u/aGp5kcByB>

Please let us know in advance whether you intend to appear at the meeting by Zoom or in person.

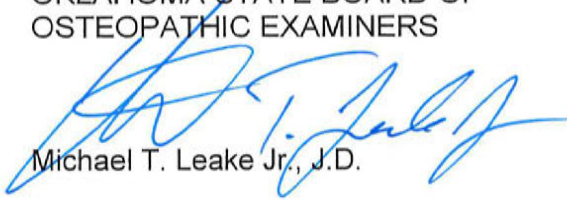
Be further advised that at the conclusion of the Hearing, the Board may take no action, or any action allowed by provisions of the Oklahoma Osteopathic Medicine Act, 59 O.S. Section 620 et. seq., including reprimand, probation, suspension or revocation.

If you are represented by counsel, a courtesy copy of this Notice has been provided to them. Please feel free to contact us if you have any questions.

OSBOE Q2 BOARD MATERIALS 0081

Very truly yours,

OKLAHOMA STATE BOARD OF
OSTEOPATHIC EXAMINERS

A handwritten signature in blue ink, appearing to read "Michael T. Leake Jr.", is written over the printed name.

Michael T. Leake Jr., J.D.

MTL/kc

OSBOE HISTORY SHEET

Melvin L. Robison, D.O.

General Practice

Okla. Lic Number: 2832

Case Number: 0814-096 (RZ)

Status: Monitoring (extended until pending federal criminal trial is resolved)

TOTAL COSTS AND FINES:

X Costs: \$12,483.00 Paid in Full

COMPLAINT:

- Overprescribing with deaths
- Improper Supervision

AMENDED COMPLAINT:

- Overprescribing with deaths
- Improper Supervision

6-16-2016 ORDER OF PROBATION

- X Effective 7-17-2016
- X Probation 5 years
- X No CDS (effective upon receipt of Order)
- X CW Proper Prescribing 8 hrs or equivalent (as approved by Board) by 7-17-2017
- X CW Medical Record Keeping 8 hrs or equivalent (as approved by Board) by 7-17-2017
- X Costs \$12,483 due 7-17-2019
- X Appear Quarterly before the Board for 1 year, then regularly as directed
- X Close monitoring during Probation Period
- X Order will be shared with any potential employer during probation period

7-9-2021 ORDER CONTINUING MONITORING

- X Monitoring continued until pending federal criminal trial related to the practice of osteopathic medicine is resolved
- X Appear at 12-9-2021 Board Meeting

IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel.
OKLAHOMA STATE BOARD OF
OSTEOPATHIC EXAMINERS,

Petitioner,

v.

MELVIN L. ROBISON, D.O.,
Osteopathic Medical License No.
2832,

Respondent.

RECEIVED/FILED

JUL 09 2021

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

Case No. 0814-96 (RZ)

ORDER CONTINUING MONITORING

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a regular meeting of the Board on June 17, 2021. Melvin L. Robison, D.O., Okla. Lic. No. 2832 ("Dr. Robison") appears at the hearing on this date via Zoom due to the ongoing Covid-19 Pandemic. Dr. Robison presents without counsel. The Board's Chief Investigator, Richard Zimmer, also appeared and gave testimony.

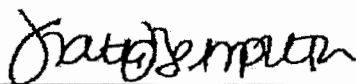
This Order is issued pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 620 *et. seq.* and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et. Sec.*

The Board, after reviewing the pleadings and the previous Orders, and being fully advised, enters this Order continuing Dr. Robison's monitoring until his pending federal criminal trial related to the practice of osteopathic medicine is resolved.

Dr. Robison is further Ordered to appear at the Board's meeting on **December 9, 2021**, for review.

This Order is a public record and therefore subject to the Oklahoma Open Records Act.

IT IS SO ORDERED AND EFFECTIVE this 9th day of July 2021.



Katie Templeton, J.D.
Board President
State Board of Osteopathic Examiners

**IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA**

STATE OF OKLAHOMA, ex rel.)	
OKLAHOMA STATE BOARD OF)	
OSTEOPATHIC EXAMINERS,)	
)	
Petitioner,)	
)	
v.)	No. 0814-96
)	
MELVIN L. ROBISON, D.O.,)	
Osteopathic Medical License No. 2832,)	
)	
Respondent.)	

ORDER OF PROBATION

This matter comes before the Oklahoma State Board of Osteopathic Examiners [Board] at a hearing held before the Board on June 16, 2016, in the above-styled individual proceeding. The Board is represented by the Special Prosecutor for the Board, Patricia High of Patricia L. High, P.C. The Respondent, Melvin L. Robison, D.O. [Dr. Robison] and his counsel of record, Elizabeth Scott of Crowe, Dunlevy, appear in person at the hearing.

This Order is issued pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 620 *et. seq.* and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et. seq.*

The Board, after reviewing the pleadings, testimony at the hearing and considering all of the evidence and being fully advised specifically finds the following Findings of Fact and Conclusions of Law to be true and correct and proven by clear and convincing evidence.

FINDINGS OF FACT

1. Dr. Robison is the holder of a license issued by the Board authorizing him to practice as an osteopathic physician and surgeon in the State of Oklahoma, license number 2832. At the time of this Hearing, his license is in good standing.
2. Proper notice of this hearing was served on Dr. Robison as required by law.

3. Evidence at the Hearing included that from November 1, 2014 through January 30, 2015, Dr. Robison wrote 4,354 prescriptions for CDS. 4,291 of that number were new prescriptions of controlled dangerous substances Schedules II-V. 3,681 of these prescriptions were for Schedule II CDS. In total during that three month period, eight-five (85) percent of the total prescriptions written by Dr. Robison were for Schedule II narcotics. That is 402,136 dosage units of CDS prescribed in three months. During this period, Dr. Robison's patients filled prescriptions using 92 total pharmacies in 46 different towns. (Testimony of Chief Investigator, Richard Zimmer and Exhibit 2.)

4. Evidence at the Hearing showed that from November 1, 2014 through January 30, 2015, Dr. Robison supervised at least four (4) APRN's and one PA, a total of five (5) mid-level practitioners prescribing to patients. Utilizing data from Dr. Robison's prescriber PMP, 321,709 dosage units of CDS Schedule II were distributed by Dr. Robison through the mid-level practitioners he supervised. On November 20, 2014, Dr. Robison did not treat any patients. But, he wrote 131 prescriptions for Schedule II CDS. On December 15, 2014, the patient census indicated that Dr. Robison treated nine (9) patients. On that date 207 Schedule II CDS were written by Dr. Robison. (Testimony of Chief Investigator, Richard Zimmer and Exhibits 3A through 4F.)

5. Evidence at the Hearing also included that Dr. Robison would write and sign prescriptions for Schedule II CDS three to five days prior to existing patients coming in for their exam. Investigators observed CDS prescriptions signed by Dr. Robison for the patients the mid-levels would be seeing that day. The mid-levels would also have, in their possession, significant numbers of prescriptions for Schedule II CDS signed by Dr. Robison for patients to be seen by the mid-level several days later. (Testimony of Chief Investigator, Richard Zimmer.)

6. Evidence at the Hearing also included two (2) patient medical records that showed the patients received numerous Schedule II drugs over a several month period, but did not indicate Dr. Robison had ever examined either patient or reviewed their patient medical record. (Testimony of Chief Investigator, Richard Zimmer and Exhibits 6A and 7A.)

7. At the Hearing, five (5) patient medical records were reviewed including two (2) records of patients who had died of acute drug toxicity. Certain repetitive language was found in

all patient medical records. There were additional statements throughout all of the patient medical records which appeared to be “copied and pasted” between records. None of the patient records reviewed complied with the Board’s rules on prescribing for intractable pain. . (Testimony of Chief Investigator, Richard Zimmer and Exhibits 6A, 7A, 8A, 10A through D and 11A through D.)

8. Evidence at the Hearing also included that Dr. Robison, after receiving the Board’s initial Complaint, significantly reduced the number of prescriptions he wrote for Schedule II narcotics. (Testimony of Dr. Robison.)

9. The Board specifically found that there was clear and convincing evidence found in the Amended Complaint to support violation by Dr. Robison of 59 O.S. §§ 637(A) (2) (g), (d), (3) (4) and (7) and the Board’s rules for Unprofessional conduct relating to prescribing or dispensing dangerous drugs, OAC 510:5-7-1 *et seq*; Osteopathic Supervision of Advanced Nurse Practitioners, OAC 510:10-4-3; and, Prescribing for Intractable Pain, OAC 510: 5-9-1.

CONCLUSIONS OF LAW

1. The Board has jurisdiction to hear this matter pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 620 *et. seq.*, Rules of the Board, 510 OAC § 1-1-1 *et. seq.* and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et. seq.*

2. The Board concludes by clear and convincing evidence that Dr. Robison is in violation of the provisions of the Oklahoma Osteopathic Medicine Act, including specifically, 59 O.S. §§ 637(A) (2) (g), (d), (3) (4) and (7), and the Board’s rules for Unprofessional conduct relating to prescribing or dispensing dangerous drugs, OAC 510:5-7-1 *et seq.*; Osteopathic Supervision of Advanced Nurse Practitioners, OAC 510:10-4-3; and, Prescribing for Intractable Pain, OAC 510: 5-9-1.

3. The Board also concludes that such actions are grounds for imposing any sanction against Dr. Robison’s license authorized by statute and rules and regulations of the Board. However, the Board further concludes that Dr. Robison’s license shall remain in effect on the terms and conditions as set forth in the Order below.

ORDER

IT IS THEREFORE ORDERED by the Board that Dr. Robison's license to practice osteopathic medicine in the State of Oklahoma remains in effect, and the following terms and conditions shall apply:

1. Dr. Robison's license, number 2832 is restricted under a five (5) year term of **PROBATION**. Said probation may be extended or continued at the discretion of the Board.
2. During the term of this Probation, Dr. Robison shall not administer, prescribe, or dispense any SCDS. This provision becomes effective upon receipt of this Order. Any administering, prescribing or dispensing of Scheduled Controlled Dangerous Substances on or after that date will constitute a violation of this Order and may subject Dr. Robison to further disciplinary action.
3. Within the next twelve (12) months, Dr. Robison shall furnish the Board with evidence of successful completion of a course in the Proper Prescribing of Controlled Substances provided by Case Western Reserve University or its equivalent. The course, at least eight (8) hours in length, is to be approved by Board Staff prior to enrollment. All expenses related to the taking of this course shall be borne by Dr. Robison.
4. Within the next twelve (12) months, Dr. Robison shall furnish the Board with evidence of successful completion of a course in Medical Record Keeping provided by Case Western Reserve University or its equivalent. The course, at least eight (8) hours in length, is to be approved by Board Staff prior to enrollment. All expenses related to the taking of this course shall be borne by Dr. Robison.
5. Dr. Robison is to pay the costs and investigation charges for this case in the amount of TWELVE THOUSAND FOUR HUNDRED EIGHTY THREE DOLLARS (\$12,483.00). He is to make payment arrangements for this amount with Board Staff and such costs shall be paid within the first three (3) years of this Probation.
6. For the next twelve months, Dr. Robison shall appear quarterly before the Board to report on his status. Thereafter, he shall appear regularly as directed by the Board.

7. During the pendency of this probation period, Dr. Robison shall be closely monitored to determine if he is in full compliance with this Order. Dr. Robison shall also permit any representative of the Board to enter his office unannounced to determine if his practice is satisfactory and in compliance with the Osteopathic Medicine Act or for other official duties.

8. During the pendency of this probation period, Dr. Robison shall cause a copy of this Order to be shared in whole with any potential employer.

9. Board Staff shall have oversight of this Order on behalf of the Board, and the authority to direct Dr. Robison to appear and provide all documents relevant to any appearance.

10. Dr. Robison is not eligible for termination of this Order until all terms and conditions of this Order have been fully satisfied.

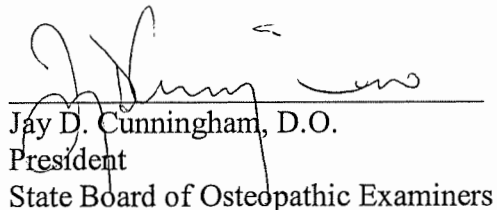
11. In the event Dr. Robison leaves the state of Oklahoma to practice medicine in another jurisdiction, the terms and conditions of this Order shall be tolled.

12. This Order is a public record and therefore subject to the Oklahoma Open Records Act.

IT IS SO ORDERED, ADJUDGED AND DECREED.

Dated this 16th day of June, 2016.

Effective this 17th day of July, 2016.



Jay D. Cunningham, D.O.
President
State Board of Osteopathic Examiners

IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel.)
STATE BOARD OF)
OSTEOPATHIC EXAMINERS,)
Petitioner,) Case No. 0814-96
)
v.)
)
Melvin L. Robison, D.O.)
Osteopathic Medical License No. 2832)
Respondent.

CERTIFICATE OF SERVICE

I certify that on February 25, 2016, a true and correct copy of the Complaint and Citation and Notice of Hearing was deposited in the U.S. Mail, Certified Mail, signed receipt requested and was sent to Melvin L. Robison, D.O., 1415 N. Watts, Sayre, Oklahoma 73662.


Tristan Walker
Investigator for the Board

U.S. Postal Service 05700
CERTIFIED MAIL RECEIPT
(Domestic Mail Only - No Insurance Coverage Provided)

For delivery information, visit our website at www.usps.com

ORIGINAL USE

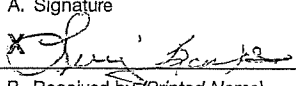
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Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here
 FEB 25 2010
 OKLAHOMA CITY OK
 USPS

Sent To: Melvin L. Robison, D.O.
 Street, A, or PO Box: 1415 N. Watts
 City, State: Sayre, OK 73662

PS Form 3811, August 2006 See Reverse for Instructions

7009 1680 0001 2882 4684

SENDER COMPLETE THIS SECTION	COMPLIANT WITH THIS SECTION ON DELIVERY
<input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee 
1. Article Addressed to:	B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No <p style="text-align: center; font-size: 1.2em;">1415 N watts suite Sayre OK 73662 #100</p>
2. Article Number <small>(Transfer from se</small>	3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery
7009 1680 0001 2882 4684	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes

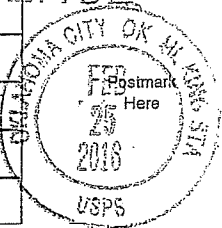
U.S. Postal Service 05700
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For delivery information, visit our website at www.usps.com

ORIGINAL LICENSE

7009 1680 0001 2882 4684

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To **Melvin L. Robison, D.O.**
 Street, A, or PO Box **1415 N. Watts**
 City, State **Sayre, OK 73662**

**IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA**

STATE OF OKLAHOMA, ex rel.)	
OKLAHOMA STATE BOARD OF)	
OSTEOPATHIC EXAMINERS,)	
)	
Petitioner,)	
)	
v.)	No. 0814-96
)	
MELVIN L. ROBISON, D.O.,)	
Osteopathic Medical License No. 2832,)	
)	
Respondent.)	

AMENDED COMPLAINT

The Special Prosecutor for the Oklahoma State Board of Osteopathic Examiners [Board], Patricia L. High of Patricia L. High, P.C., alleges and files this Complaint.

1. Melvin L. Robison, D.O. (Dr. Robison) is the holder of a license issued by the Board authorizing him to practice as an osteopathic physician and surgeon in the State of Oklahoma, license number 2832. At the time of this Complaint, his license is in good standing.

2. As alleged in this Complaint, Dr. Robison in in violation of the Rules and Regulations of the Board and the Oklahoma Osteopathic Medicine Act, 59 O.S. §§ 620 *et seq.* [Act]. Dr. Robison is specifically in violation of § 637(A) (2) (g), (d), (3) (4) and (7), to wit:

A. The State Board of Osteopathic Examiners may refuse to admit a person to an examination or may refuse to issue or reinstate or may suspend or revoke a license issued or reinstated by the Board upon proof that the applicant or holder of such a license:

2. Has engaged in the use of employment or dishonesty, fraud, misrepresentation, false promise, false pretense, unethical conduct, or unprofessional conduct, as may be determined by the Board, in the performance of the functions or duties of an osteopathic physician, including, but not limited to the following:

g. signing a blank prescription form; or dispensing, prescribing, administering or otherwise distributing any drug, controlled substance or other treatment without sufficient examination or the establishment of a physician/patient relationship, or for other therapeutic or experimental or investigational purposes duly authorized by a state or federal agency, or not good faith to release pain and suffering, or not to treat ailment,

physical infirmity or disease, or violating any state or federal law on controlled dangerous substances;

3. Has engaged in gross negligence, gross malpractice or gross incompetence;

4. Has engaged in repeated acts of negligence, malpractice or incompetence.

7. Has violated, or failed to comply with provisions of any act or regulation administered by the Board;

OAC 510:10-4-3, Osteopathic Supervision of Advanced Nurse Practitioners:

(4) No physician shall supervise more than two (2) full time equivalent advanced practice nurses regarding their prescriptive authority at any one time.

(5) Notwithstanding the provisions for the supervision of two (2) full time equivalent advanced practice nurses above, no physician shall supervise more than a total of four (4) advanced practice nurses.

OAC 510:5-7-1, Unprofessional conduct relating to prescribing or dispensing dangerous drug:

(1) Indiscriminate or excessive prescribing, dispensing or administering controlled dangerous drugs.

OAC 510:5-9, Prescribing for Intractable Pain

(2) Guidelines and Requirements

OAC 510-5-9-3, the violation of any provision of this subchapter shall constitute unprofessional conduct, for which an application for licensure or reinstatement may be denied and for which appropriate sanctions may be imposed.

3. Dr. Robison, a Board Certified Family Practitioner, is practicing medicine at the Robison Family Clinic (RFC) in Sayre, Oklahoma. RFC contracted with Clinton Indian Health Services (CIHS) to treat pain management patients between June 2, 2014 and February 26, 2015. The terms of the contract allowed Dr. Robison, who was not credentialed at CIHS, to send any provider he chose to CIHS to treat patients.

4. A Board Investigator reviewed a physician profile printout from the OBNDD's Prescription Monitoring Program (PMP) for Dr. Robison. An analysis of Dr. Robison's prescribing from **November 1, 2014 through January 30, 2015** showed:

a. Dr. Robison wrote 4,354 prescriptions for CDS. 4,291 of that number were new prescriptions of controlled dangerous substances Schedules II-V. 3,681 of these prescriptions were for Schedule II CDS. In total during that three month period, eight-five (85) percent of the total prescriptions written were for Schedule II narcotics. That is 402,136 dosage units of CDS prescribed in three months.

b. During this period, Dr. Robison's patients filled prescriptions using 92 total pharmacies in 46 different towns.

5. From November 1, 2014 through January 30, 2015, Dr. Robison supervised at least five (5) APRN's and one PA, a total of six (6) mid-level practitioners prescribing to patients. Utilizing data from Dr. Robison's prescriber PMP, 321,709 dosage units of CDS Schedule II were distributed by Dr. Robison through the mid-level practitioners he supervised. On November 20, 2014, Dr. Robison did not treat any patients. But, he wrote 131 prescriptions for Schedule II CDS. On December 15, 2014, the patient census indicated that Dr. Robison treated nine (9) patients. On that date 207 Schedule II CDS were written by Dr. Robison. On December 16, 2014, Dr. Robison treated fifteen patients and wrote 155 Schedule II CDS.

6. On October 22, 2015, Board Investigators went to RFC and interviewed three APRNs (JZ, LM and ES) practicing full time as employees of RFC. Dr. Robison was not at the clinic on that day.

7. On October 22, 2015, APRN, "ES" stated Dr. Robison would write and sign prescriptions for Schedule II CDS three to five days prior to existing patients coming in for their exam. On this date, ES had, in her pocket, CDS prescriptions signed by Dr. Robison for the patients she would be seeing that day at RFC. ES also had, in her desk drawer, twenty-two (22) prescriptions for Schedule II CDS signed by Dr. Robison for patients she would be seeing on October 26 2015.

8. On October 22, 2015, APRN, "JZ" stated she would see new pain management patients on their first visit to RFC. Dr. Robison did not always see the pain management patients. JZ reported pain management patients had prescriptions for Schedule II CDS pre-signed by Dr. Robison prior to the office visit. On this date, JZ had, in her desk, twenty-three (23) pre-signed prescriptions for Schedule II CDS for patients being seen in the office on that day.

9. LJ was a patient of APRN, ES at the CIHS clinic. Dr. Robison never saw this patient because he did not have privileges at CIHS. The patient medical record noted, "Dr.

Robison will review, prescribe and mail RX to pt's address on file." This note was made in six (6) consecutive office visits by ES between August 7, 2014, and January 22, 2015. A review of LJ's patient PMP documented a prescription written by Dr. Robison on August 7, 2014 for Oxycodone 325 MG was filled by LJ on August 9, 2014 at an Oklahoma City pharmacy. JF was also a patient of APRN, ES at CIHS clinic. The patient medical record did not contain documentation of Dr. Robison ever examining JF or reviewing her patient medical record. JF received two (2) prescriptions written by Dr. Robison on June 13, 2012 for Morphine Sulfate 30 Mg #30 and Oxycodone/Acetaminophen 32 Mg/5Mg #30.

10. Board investigators reviewed BC's patient medical record from RFC. The medical record documented BC was a patient at RFC from January 29, 2014 through March 27, 2015. The patient medical record documented BC was being treated for acute sinusitis, unspecified inflammatory disease of uterus, headaches, migraines and chronic pain syndrome, and was in RFC's pain management program. Mid-level practitioners were treating BC throughout the time she was a patient at RFC. There was no documentation in BC's medical record of ever being seen by Dr. Robison.

11. RM was a patient at RFC and died on July 2, 2012. The Medical Examiner report documents the probable cause of death as "Acute Morphine Intoxication". A report from the Elk City Police Department documents information provided by RM's wife regarding RM's surgical history of two major back surgeries, a broken ankle and two shoulder surgeries. It was reported RM had chronic pain from all his surgeries, and a history of alcohol and drug abuse. The police reports four (4) prescription medication bottles found near RM's body at the time of death. An inventory of the medication documents: Clonazepam, prescription filled June 26, 2012 containing 25 of 90 pills; Morphine Sul., prescription filled June 26, 2012 containing 26 of 60 pills; Carisoprodol, prescription filled June 26, 2012 containing 36 of 90 pills; Gabapentin, prescription filled June 26, 2012 containing 72 of 90 pills. The patient medical record does contain medical records obtained from Great Plains Regional Medical Center (GPRMC). On September 24, 2010, RM was admitted to GPRMC as a result of a drug overdose. The GPRMC records document RM left the ICU against medical advice. The RFC records do not document discussion of this drug overdose with RM by RFC personnel, and RM continued to receive treatment at RFC.

12. MO was a patient at RFC between the dates of July 5, 2013 and June 1, 2015. MO was found dead at his residence on June 8, 2015. The Medical Examiner report documents

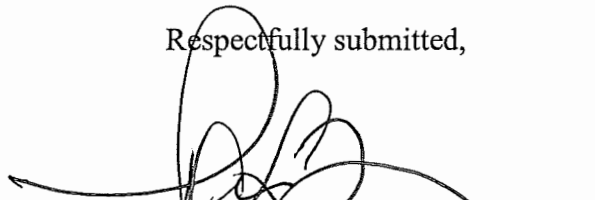
the probable cause of death as “Acute Oxycodone Toxicity.” Board Investigators also obtained information from the Elk City Police Department. The police report documents a medication inventory at the scene of MO’s death. The prescription medication bottles found next to MO’s body were for Clonazepam, prescription filled June 1, 2015 containing 50 of 90 pills; Cyclobenzaprine, prescription filled April 15, 2014 and was empty; Oxycodone, filled June 1, 2015 containing 59.5 of 120 pills; and Cyclobenzaprine, filled June 1, 2015 containing 54 of 90 pills.

13. Thirteen medical were reviewed by Board Investigators. It was discovered certain language was found in all patient medical records:

“The patient is currently in the Robison Clinic Pain Management Program. Consulted Dr. Robison concerning patient’s plan of care. Dr. Robison filled patient’s medications today and/or changed medication. The patient is instructed that taking current pain medications could impair the patient’s judgment and may cause drowsiness. The patient was told while taking these medications to avoid alcohol consumption and to avoid driving or operating heavy equipment. The patient stated their understanding of the instruction.”

There were additional statements throughout all of the patient medical records which appear to be “copied and pasted” between records. None of the patient records reviewed complied with the Board’s rules on prescribing for intractable pain.

Respectfully submitted,



Patricia L. High, OBA No. 13414
Patricia L. High, P.C.
P.O. Box 1331
Oklahoma City, OK 73101-1331
Tel. (405) 343-4877
Fax (866) 794-5742
pattyehigh@gmail.com
SPECIAL PROSECUTOR FOR
THE PETITIONER

**IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA**

STATE OF OKLAHOMA, ex rel.)	
OKLAHOMA STATE BOARD OF)	
OSTEOPATHIC EXAMINERS,)	
)	
Petitioner,)	
)	
v.)	No. 0814-96
)	
Melvin L. Robison, D.O.,)	
Osteopathic Medical License No. 2832,)	
)	
Respondent.)	

COMPLAINT

The Special Prosecutor for the Oklahoma State Board of Osteopathic Examiners [Board], Patricia L. High of Patricia L. High, P.C., alleges and files this Complaint.

1. Melvin L. Robison, D.O. (Dr. Robison) is the holder of a license issued by the Board authorizing him to practice as an osteopathic physician and surgeon in the State of Oklahoma, license number 2832. At the time of this Complaint, his license is in good standing.

2. As alleged in this Complaint, Dr. Robison in in violation of the Rules and Regulations of the Board and the Oklahoma Osteopathic Medicine Act, 59 O.S. §§ 620 *et seq.* [Act]. Dr. Robison is specifically in violation of § 637(A) (2) (g), (d), (3) (4) and (7), to wit:

A. The State Board of Osteopathic Examiners may refuse to admit a person to an examination or may refuse to issue or reinstate or may suspend or revoke a license issued or reinstated by the Board upon proof that the applicant or holder of such a license:

2. Has engaged in the use of employment or dishonesty, fraud, misrepresentation, false promise, false pretense, unethical conduct, or unprofessional conduct, as may be determined by the Board, in the performance of the functions or duties of an osteopathic physician, including, but not limited to the following:

g. signing a blank prescription form; or dispensing, prescribing, administering or otherwise distributing any drug, controlled substance or other treatment without sufficient examination or the establishment of a physician/patient relationship, or for other therapeutic or experimental or investigational purposes duly authorized by a state or federal agency, or not good faith to release pain and suffering, or not to treat ailment,

physical infirmity or disease, or violating any state or federal law on controlled dangerous substances;

3. Has engaged in gross negligence, gross malpractice or gross incompetence;

4. Has engaged in repeated acts of negligence, malpractice or incompetence.

7. Has violated, or failed to comply with provisions of any act or regulation administered by the Board;

OAC 510:10-4-3, Osteopathic Supervision of Advanced Nurse Practitioners:

(4) No physician shall supervise more than two (2) full time equivalent advanced practice nurses regarding their prescriptive authority at any one time.

(5) Notwithstanding the provisions for the supervision of two (2) full time equivalent advanced practice nurses above, no physician shall supervise more than a total of four (4) advanced practice nurses.

OAC 510:5-7-1, Unprofessional conduct relating to prescribing or dispensing dangerous drug:

(1) Indiscriminate or excessive prescribing, dispensing or administering controlled dangerous drugs.

OAC 510:5-9, Prescribing for Intractable Pain

(2) Guidelines and Requirements

OAC 510-5-9-3, the violation of any provision of this subchapter shall constitute unprofessional conduct, for which an application for licensure or reinstatement may be denied and for which appropriate sanctions may be imposed.

3. Dr. Robison, a Board Certified Family Practitioner, is practicing medicine at the Robison Family Clinic (RFC) in Sayre, Oklahoma. RFC contracted with Clinton Indian Health Services (CIHS) to treat pain management patients between June 2, 2014 and February 26, 2015. The terms of the contract allowed Dr. Robison, who was not credentialed at CIHS, to send any provider he chose to CIHS to treat patients.

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a. Dr. Robison wrote 4,354 prescriptions for CDS. 4,291 of that number were new prescriptions of controlled dangerous substances Schedules II-V. 3,681 of these prescriptions were for Schedule II CDS. In total during that three month period, eight-five (85) percent of the total prescriptions written were for Schedule II narcotics. That is 402,136 dosage units of CDS prescribed in three months.

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11. NS was a patient of RFC from August 1, 2011 until his death on February 28, 2015. The Medical Examiner Report of Investigation documents the probable cause of death as "Acute Oxycodone Toxicity." A review of NS' patient medical record was being treated for osteoarthritis, anxiety and chronic pain. A review of the PMP documented NS filled two (2) prescriptions on the date of his death. One prescription was written by APRN, LM for Clonazepam 2 MG #90, and the other written by Dr. Robison for Oxycodone 30 MG #120. The prescription written by LM was dated February 25, 2015. The prescription written by Dr. Robison was dated February 19, 2015.

12. RM was a patient at RFC and died on July 2, 2012. The Medical Examiner report documents the probable cause of death as "Acute Morphine Intoxication". A report from the Elk City Police Department documents information provided by RM's wife regarding RM's surgical history of two major back surgeries, a broken ankle and two shoulder surgeries. It was reported RM had chronic pain from all his surgeries, and a history of alcohol and drug abuse. The police reports four (4) prescription medication bottles found near RM's body at the time of death. An inventory of the medication documents: Clonazepam, prescription filled June 26, 2012

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Respectfully submitted,



Patricia L. High, OBA No. 13414

Patricia L. High, P.C.

P.O. Box 1331

Oklahoma City, OK 73101-1331

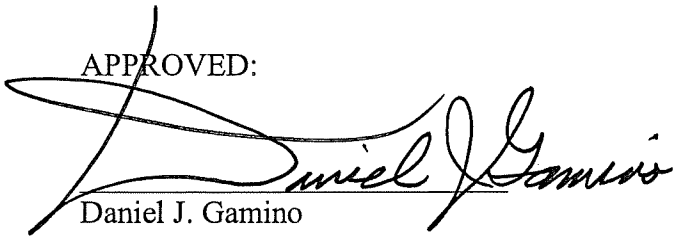
Tel. (405) 343-4877

Fax (866) 794-5742

pattyehigh@gmail.com

SPECIAL PROSECUTOR FOR
THE PETITIONER

APPROVED:



Daniel J. Gamino

ATTORNEY FOR THE BOARD

Date: 23 day of February, 2016

JAMES
ROSEBERRY,
D.O.
2897



Oklahoma State Board of Osteopathic Examiners

BOARD MEMBERS

KATIE TEMPLETON, J.D.
PRESIDENT
OKLAHOMA CITY

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TULSA

C. MICHAEL OGLE, D.O.
BARTLESVILLE

DENNIS J. CARTER, D.O.
POTEAU

May 25, 2022

VIA EMAIL [REDACTED]
AND U.S. MAIL

James Roseberry, D.O. (#2897)
[REDACTED]

Re: Notice of Hearing re OSBOE v. James
Roseberry, D.O. (No. OSBOE-2021-103)

Dear Dr. Roseberry:

Please be advised that you are required to appear on the Probation, Monitoring and Hearing Docket before the Oklahoma State Board of Osteopathic Examiners at its next meeting on **June 16, 2022. All such appearances for this docket are set for 9:00 a.m.** The Hearing Docket will be held in the large meeting room at the Board's Office, 4848 N. Lincoln Blvd., Ste. 100, Oklahoma City, Oklahoma.

Join Zoom Meeting:

<https://zoom.us/j/98817835727?pwd=R093Myt6NFA2VHhBUDNFskZyZ2RQZz09>

Meeting ID: **988 1783 5727**

Password: **060826**

Find your local number: <https://zoom.us/u/aGp5kcByB>

Please let us know in advance whether you intend to appear at the meeting by Zoom or in person.

Be further advised that at the conclusion of the Hearing, the Board may take no action, or any action allowed by provisions of the Oklahoma Osteopathic Medicine Act, 59 O.S. Section 620 et. seq., including reprimand, probation, suspension or revocation.

If you are represented by counsel, a courtesy copy of this Notice has been provided to them. Please feel free to contact us if you have any questions.

OSBOE Q2 BOARD MATERIALS 0105

Very truly yours,

OKLAHOMA STATE BOARD OF
OSTEOPATHIC EXAMINERS

A handwritten signature in blue ink, appearing to read "Michael T. Leake Jr.", is written over the printed name.

Michael T. Leake Jr., J.D.

MTL/kc

OSBOE HISTORY SHEET

James Roseberry, D.O.

Emergency Medicine

Okla. Lic Number: 2897

Case Number: 2021-103 (RZ)

Status: Licensure Tabled

TOTAL COSTS AND FINES:

- Costs: Assessed: \$0.00

7-9-2021 INTERIM ORDER TABLING APPLICATION

- X Undergo a clinical evaluation by CPEP or another clinical evaluator approved by the Board
- X Sign any and all authorizations necessary to release the findings to the Board
- X Re-appear before Board to review requested documentation and information

10-11-2021 ORDER GRANTING LICENSE WITH TERMS AND CONDITIONS

- X License granted with terms and conditions
- X Clinical work is authorized under a Preceptorship, approved by the Board
- X Complete all CPEP re-entry recommendations
- X Sign any release necessary to send reports, documents, etc to the Board

IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA

IN THE MATTER OF JAMES)
ROSEBERRY, D.O., APPLICANT) Case No. 2021-103 (RZ)
FOR RE-ISSUE OF LICENSE)
(Osteopathic Medical License No.)
2897)

RECEIVED/FILED

OCT 11 2021

**ORDER GRANTING LICENSE WITH
TERMS AND CONDITIONS**

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a regular meeting of the Board on September 16, 2021. James Roseberry, D.O. ("Dr. Roseberry") presented without counsel. The Board's Chief Investigator, Richard Zimmer, also appeared and gave testimony.

This Order is issued pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 620 et. seq. and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 et. seq.

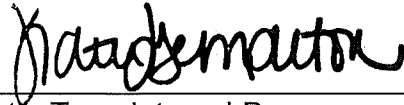
The Board, after reviewing Dr. Roseberry's Application for Licensure and being fully advised, enters this Order Granting License with Terms and Conditions.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Board that, for good cause shown, Dr. Roseberry's application for Licensure is hereby **GRANTED** and subject to the following terms and conditions:

1. That Dr. Roseberry's clinical work in Oklahoma is authorized under a Preceptorship, which will be proposed by Dr. Roseberry and approved by Board Staff.
2. That Dr. Roseberry complete all Center for Personalized Education for Physicians ("CPEP") re-entry recommendations.
3. That Dr. Roseberry sign any release necessary to send reports, documents, etc. to the Board.

This Order is a public record and therefore subject to the Oklahoma Open Records Act. Further, this Order may be reportable to the National Practitioner Data Bank ("NPDB") pursuant to federal law, including but not limited to, 45 CFR Part 60.

IT IS HEREBY ORDERED AND EFFECTIVE this 11th day of October 2021.



Katie Templeton, J.D.
Board President
State Board of Osteopathic Examiners

IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA

RECEIVED/FILED
JUL 09 2021

IN THE MATTER OF JAMES)
ROSEBERRY, D.O., APPLICANT)
FOR RE-ISSUE OF LICENSE)
(Osteopathic Medical License No.
2897)

Case No. 2021-103 (RZ)
OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

INTERIM ORDER TABLING APPLICATION

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a regular meeting of the Board on June 17, 2021. James Roseberry, D.O. ("Dr. Roseberry"), applicant for licensure, appears at the hearing on this date via Zoom due to the ongoing Covid-19 Pandemic. Dr. Roseberry presents without counsel on his Application to practice Osteopathic Medicine in the State of Oklahoma.

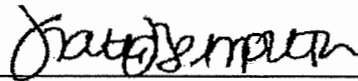
This Order is issued pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 620 *et. seq.* and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et. seq.*

After reviewing Dr. Roseberry's Application and hearing sworn testimony, the Board enters this Interim Order Tabling Application ("Order"). Future consideration of this Application will occur upon the following terms and conditions:

1. In order to protect the public, Dr. Roseberry shall undergo a clinical evaluation by the Center for Personalized Education for Professionals (CPEP) or another clinical evaluator approved by the Board.
 - a. In order to protect the public, Dr. Roseberry shall sign any and all authorizations necessary to release the findings of the psychiatric evaluation directly to the Board.
2. In order to protect the public, Dr. Roseberry shall undergo a Montreal Cognitive Assessment by CPEP, or another evaluator approved by the Board.
 - a. In order to protect the public, Dr. Roseberry shall sign any and all authorizations necessary to release the findings of the assessment directly to the Board.
3. Dr. Roseberry's Application shall remain tabled until such time as the Board

- receives the requested documentation and/or information in this Order.
4. Dr. Roseberry shall bear the financial costs of any expenses incurred herein, including but not limited to the cost of any hearings, investigations, or evaluations that are ordered or result from the Board's consideration of Dr. Roseberry's Application.
 5. Following receipt of the requested documentation and information, Dr. Roseberry will be scheduled to appear before the Board for review of all documents and for any other issues raised by Dr. Roseberry's Application and history.
 6. This Order is not a final determination of this Board and is therefore not appealable as a final order.
 7. The Board has not reached any final determination in the Application, and nothing in this Order shall guarantee further licensure of Dr. Roseberry.
 8. This Order is a public record and, therefore, subject to the Oklahoma Open Records Act.

IT IS HEREBY ORDERED AND EFFECTIVE this 9th day of July 2021.



Katie Templeton, J.D.
Board President
State Board of Osteopathic Examiners

JEREMY
THOMAS,
D.O.

4495



Oklahoma State Board of Osteopathic Examiners

BOARD MEMBERS

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BARTLESVILLE

DENNIS J. CARTER, D.O.
POTEAU

May 25, 2022

VIA EMAIL [REDACTED]
AND U.S. MAIL

Jeremy Thomas, D.O. (#4495)
[REDACTED]

Re: Notice of Hearing re OSBOE v. Jeremy
Thomas, D.O. (No. OSBOE-1017-128)

Dear Dr. Thomas:

Please be advised that you are required to appear on the Probation, Monitoring and Hearing Docket before the Oklahoma State Board of Osteopathic Examiners at its next meeting on **June 16, 2022. All such appearances for this docket are set for 9:00 a.m.** The Hearing Docket will be held in the large meeting room at the Board's Office, 4848 N. Lincoln Blvd., Ste. 100, Oklahoma City, Oklahoma.

Join Zoom Meeting:

<https://zoom.us/j/98817835727?pwd=R093Myt6NFA2VHhBUDNFskZyZ2RQZz09>

Meeting ID: **988 1783 5727**

Password: **060826**

Find your local number: <https://zoom.us/u/aGp5kcByB>

Please let us know in advance whether you intend to appear at the meeting by Zoom or in person.

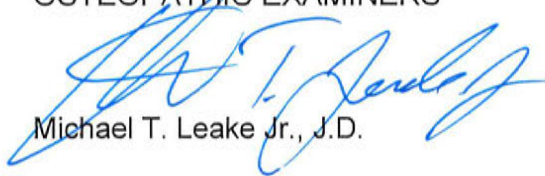
Be further advised that at the conclusion of the Hearing, the Board may take no action, or any action allowed by provisions of the Oklahoma Osteopathic Medicine Act, 59 O.S. Section 620 et. seq., including reprimand, probation, suspension or revocation.

If you are represented by counsel, a courtesy copy of this Notice has been provided to them. Please feel free to contact us if you have any questions.

OSBOE Q2 BOARD MATERIALS 0113

Very truly yours,

OKLAHOMA STATE BOARD OF
OSTEOPATHIC EXAMINERS



Michael T. Leake Jr., J.D.

MTL/kc

CC: **VIA Email jconnor@richardsconnor.com**
AND U.S. MAIL

Mr. James W. Connor, Jr., J.D.
Richards & Connor
12th Floor, Parkcentre Building
525 South Main St.
Tulsa, OK 74103-4509
(918) 585-2394
(918) 585-1449

OSBOE HISTORY SHEET

Jeremy David Thomas, D.O.

Orthopedic Surgeon

Okla. Lic Number: 4495

Case Number: 1017-129 (RZ)

Status: Licensed with Terms of Probation

TOTAL COSTS AND FINES:

- X Costs: Assessed: \$8,680.00 – signed an agreement 4-27-2021 for a monthly payment plan of \$250.00/month
- X Monthly Administrative Fee: \$100/month
(Current as of 6/8/2022)

COMPLAINT (APPLICATION FOR EMERGENCY ORDER OF SUSPENSION):

- Splitting prescriptions with patients

12-14-2017 EMERGENCY ORDER OF SUSPENSION PENDING A HEARING

- Suspended pending hearing

7-7-2020 ORDER REINSTATING LICENSE WITH TERMS OF PROBATION

- Probation 5 years
- X Maintain complete compliance with all requirements of federal probation
- Limit 4 hrs/day in office of an orthopedic professional practice
- Designate an orthopedic surgeon for direct mentorship for the duration of probation
- Report and keep current name, practice address, and phone number of designated mentor
- Mentoring orthopedic surgeon will make monthly reports to Board Staff regarding the progress and activities of Dr. Thomas' practice
- X No CDS until approved by Board
- X Successfully complete CW Proper Prescribing (or equivalent approved by Board) before obtaining CDS privileges. Sign any and all releases necessary to allow completion documents be sent directly to the Board
- X Do not apply for OBNDD or DEA registration until approved by Board
- X Maintain and continue current OHPP contract. Sign a release for Board to obtain any records from or communicate with OHPP
- X Maintain monthly counseling for at least 1 year with monthly reports sent by

THOMAS

1

OSBOE Q2 BOARD MATERIALS 0115

OSBOE HISTORY SHEET

counselor directly to the Board. Sign a release for Board to communicate with and obtain records from counselor.

- X Any authorization for release of records shall instruct they be sent directly to 4848 N. Lincoln Blvd, Ste. 100, Oklahoma City, OK 73105 and permit them to communicate directly with Board staff
- X Will not enter a casino during probation period
- X Will not participate in sports betting during probation period
- X Complete a Compliance Information Request form within 30 days of Order
- X Complete a Monthly Supervision Self-Report form that is required to be submitted by 10th day of each month
- X Maintain monthly contact with Board Investigator
- X Monthly Administrative Maintenance fee of \$100 due 1st of each month (1st payment due 9-1-2020) for the duration of the probation period
 - Costs: \$8,680 due 7-7-2021 (Repayment agreement in process)
- X Regular appearances every 3 months during probation period

7-29-2021 ORDER MODIFYING TERMS OF PROBATION

- X Comply with all conditions of 7-7-2020 Order
 - Undergo and evaluation by Julio Rojas, Ph.D., or another Board-approved Evaluator (requirement removed in Modified Order)
- X Sign any and all authorizations necessary to release the findings of the evaluation directly to the Board
- X Dr. Thomas is permitted to apply for registration with OBNDD and DEA for the ability to prescribe testosterone only, within the context of a valid physician-patient relationship and a medical record is made

10-11-2021 SECOND ORDER MODIFYING TERMS OF PROBATION

- X Comply with all conditions of previous Orders, excusing the condition from 7-29-2021 Order to undergo an evaluation by Julio Rojas, PhD., or another Board-approved evaluator



OKLAHOMA HEALTH PROFESSIONALS PROGRAM

June 7, 2022

State of Oklahoma Board of Osteopathic Examiners
4848 N. Lincoln Blvd. Suite 100
Oklahoma City, OK 73105

Re: Jeremy Thomas, DO

Dear State of Oklahoma Board of Osteopathic Examiners,

This letter is in reference to Jeremy Thomas, DO. Dr. Thomas signed a five-year contract with the Oklahoma Health Professionals Program (OHPP) January 15, 2018. At a minimum, this agreement requires regular attendance at professionally facilitated monitoring meetings, weekly random toxicology testing with the US Court System, and consistent therapy for SUD,

All alcohol/drug screens for Dr. Thomas have been negative. He maintains consistent participation in Caduceus, recovery meetings, and required therapy. His Caduceus attendance for the 2nd QTR 2022 was 92% of the required 75%.

Please feel free to contact me at (405) 601-2536 if you have any questions or need anything further.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Kuhn'.

John Kuhn, MD
OHPP Director

JK/cc

313 Northeast 50th, Oklahoma City, Oklahoma 73105
(405) 601-2536 • (405) 605-0394 (fax)



IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA

RECEIVED/FILED

OCT 11 2021

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

STATE OF OKLAHOMA, ex rel.)
OKLAHOMA STATE BOARD OF)
OSTEOPATHIC EXAMINERS,)

Petitioner,)

Case No. 1017-128 (RZ)

v.)

JEREMY THOMAS, D.O.,)
Osteopathic Medical License No.)
4495,)

Respondent.)

SECOND ORDER MODIFYING TERMS OF PROBATION

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a regular meeting of the Board on September 16, 2021. Jeremy Thomas, D.O., Okla. Lic. No. 4495 ("Dr. Thomas") appears at the hearing on this date via Zoom due to the ongoing Covid-19 Pandemic. Dr. Thomas presents without counsel. John Kuhn, M.D., of the Oklahoma Health Professionals Program ("OHPP") appeared and offered testimony. The Board's Chief Investigator, Richard Zimmer, also appeared and gave testimony.

This Order is issued pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 620 *et. seq.* and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et. Sec.*

After reviewing Dr. Thomas' compliance with his previous Board Orders entered on July 7, 2020, from the June 2020 Board Meeting, and on July 29, 2021, from the June 2021 Board Meeting, wherein terms of probation were placed on Dr. Thomas' Oklahoma Osteopathic medical license; the Board modifies the previous Orders of his probation as set forth below.

ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Board that Dr. Thomas' license to practice osteopathic medicine in the State of Oklahoma remains in effect, and the following terms and conditions shall apply:

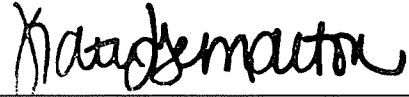
1. That Dr. Thomas complies with all conditions of his July 7, 2020, Order from the

June 2020 Board Meeting, and his July 29, 2021, Order from the June 2021 Board Meeting, except as amended herein.

2. That Dr. Thomas is excused from the requirement to undergo an evaluation by Julio Rojas, Ph.D., or another Board-approved evaluator.
3. That Dr. Thomas will continue to maintain monthly contact with his Board Investigator, Richard Zimmer.
4. That Dr. Thomas shall bear the financial costs of any expenses incurred from this Order.
5. That Dr. Thomas is required to notify the Board within fourteen (14) days of any changes to his residential or practice address.
6. That Dr. Thomas is required to notify the Board within fourteen (14) days of any changes to his cell phone number.
7. That Dr. Thomas continues to be assessed an ongoing monthly Administrative Maintenance fee of one hundred dollars (\$100) per month that is due by the first day of each month. Dr. Thomas' next monthly fee payment is due on October 1, 2021 and continues monthly during the pendency of his probationary and monitoring.
8. Any violation of this Order may result in further discipline of Dr. Thomas' license to practice osteopathic medicine in the State of Oklahoma.

This Order is a public record and therefore subject to the Oklahoma Open Records Act. Further, This Order may be reportable to the National Practitioner Data Bank ("NPDB") pursuant to federal law, including but not limited to, 45 CFR Part 60. Moreover, any violation of this Order may result in a referral to the Oklahoma Attorney General for the unauthorized practice of osteopathic medicine in the State of Oklahoma.

IT IS SO ORDERED AND EFFECTIVE this 11th day of October 2021.



Katie Templeton, J.D.
Board President
State Board of Osteopathic Examiners

CC: **VIA U.S. MAIL**

Mr. James W. Connor, Jr., J.D.
Richards & Connor
12th Floor, Parkcentre Building
525 South Main St.
Tulsa, OK 74103
918/585-2394
405/585-1449 (Facsimile)
jconnor@richardsconnor.com

Attorney for Respondent,
Jeremy Thomas, D.O.

**IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA**

STATE OF OKLAHOMA, ex rel.)	
OKLAHOMA STATE BOARD OF)	
OSTEOPATHIC EXAMINERS,)	
)	
Petitioner,)	
)	Case No. 1017-128 (RZ)
v.)	
)	
JEREMY THOMAS, D.O.,)	
Osteopathic Medical License No.)	
4495,)	
)	
Respondent.		

ORDER MODIFYING TERMS OF PROBATION

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a regular meeting of the Board on June 17, 2021. Jeremy Thomas, D.O., Okla. Lic. No. 4495 ("Dr. Thomas") appears at the hearing on this date via Zoom due to the ongoing Covid-19 Pandemic. Dr. Thomas presents without counsel. The Board's Chief Investigator, Richard Zimmer, also appeared and gave sworn testimony.

This Order is issued pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 620 *et. seq.* and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et. Sec.*

After reviewing Dr. Thomas' compliance with his previous Board Order entered on July 7, 2020, from the June 2020 Board Meeting wherein terms of probation were placed on Dr. Thomas's Oklahoma Osteopathic medical license; the Board modifies the previous Order of his probation as set for below.

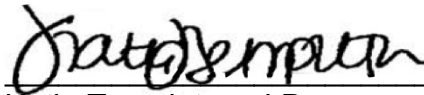
ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Board that Dr. Thomas' license to practice osteopathic medicine in the State of Oklahoma remains in effect, and the following terms and conditions shall apply:

1. That Dr. Thomas complies with all conditions of his July 7, 2020, Order from the June 2020 Board Meeting, except as amended herein.
2. In order to protect the public, Dr. Thomas shall undergo an evaluation by Julio Rojas, Ph.D., or another Board-approved evaluator.
 - a. In order to protect the public, Dr. Thomas shall sign any and all authorizations

- necessary to release the findings of the evaluation directly to the Board.
3. That Dr. Thomas shall be permitted to apply for registration with the Oklahoma Bureau of Narcotics and Dangerous Drugs ("OBNDD") the Drug Enforcement Agency ("DEA") for the ability to prescribe testosterone only.
 4. That Dr. Thomas shall not be permitted to prescribe any controlled drugs except for testosterone that is prescribed within the context of a valid physician-patient relationship and a medical record is made.
 5. That Board staff shall have oversight of this Order on behalf of the Board, and the authority to direct Dr. Thomas to provide any and all documents and records relevant to this matter, including but not limited to, medical records and prescribing logs.
 6. That Dr. Thomas will continue to maintain monthly contact with his Board Investigator, Richard Zimmer.
 7. Dr. Thomas shall bear the financial costs of any expenses incurred from this Order.
 8. That Dr. Thomas is required to notify the Board within fourteen (14) days of any changes to his residential or practice address.
 9. That Dr. Thomas is required to notify the Board within fourteen (14) days of any changes to his cell phone number.
 10. That Dr. Thomas continues to be assessed an ongoing monthly Administrative Maintenance fee of one hundred dollars (\$100) per month that is due by the first day of each month. Dr. Thomas' next monthly fee payment is due on July 1, 2021 and continues monthly during the pendency of his probationary and monitoring.
 11. That Dr. Thomas appears at the December 9, 2021, Board Meeting.
 12. Any violation of this Order may result in further discipline of Dr. Thomas' license to practice osteopathic medicine in the State of Oklahoma.
 13. This Order may be reportable to the National Practitioner Data Bank ("NPDB") pursuant to federal law, including but not limited to, 45 CFR Part 60.
 14. This Order is a public record and therefore subject to the Oklahoma Open Records Act.

IT IS SO ORDERED AND EFFECTIVE this 29 day of July 2021.



Katie Templeton, J.D.
Board President
State Board of Osteopathic Examiners

ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Board that Dr. Thomas's license to practice osteopathic medicine in the State of Oklahoma is reinstated and the following terms and conditions of a five (5) year probation shall apply:

1. That Dr. Thomas will maintain complete compliance with all of the requirements of his federal probation.
2. That Dr. Thomas is limited to four (4) hours per day in the office of an orthopedic professional practice.
3. That Dr. Thomas will designate an orthopedic surgeon to directly mentor him and monitor him during the pendency of his five (5) year probation.
4. That Dr. Thomas will keep current with the Board Staff who the designated orthopedic surgeon is together with the practice address and telephone number.
5. That Dr. Thomas's designated mentoring orthopedic surgeon will make monthly reports to Board Staff regarding the progress and activities of Dr. Thomas's practice.
6. That Dr. Thomas is not permitted to prescribe controlled substances until he receives approval from the Board. Nothing in this Order shall prohibit Dr. Thomas from prescribing non-controlled substances.
7. That prior to obtaining any privileges to prescribe controlled substances, Dr. Thomas must successfully complete a Proper Prescribing course at Case Western in Ohio, or an equivalent of this program that has been approved by the Board Staff. Dr. Thomas shall bear all expenses related to this education program. Dr. Thomas shall work directly with the Board Staff to obtain approval of any course

or program prior to his enrollment. Dr. Thomas shall sign any and all releases necessary to allow completion documents to be sent directly to the Board.

8. That Dr. Thomas will not apply for, or obtain, a Drug Enforcement Agency (“DEA”) or Oklahoma Bureau of Narcotics and Dangerous Drugs (“OBND”) registration until he obtains approval from the Board.
9. That Dr. Thomas will maintain and continue his current contract with Oklahoma Health Professional Program (“OHPP”). Dr. Thomas shall sign a release for the Board to obtain any records from, or communicate with, OHPP regarding Dr. Thomas.
10. That Dr. Thomas will maintain, for at least a period of one year, counseling on a monthly basis. Dr. Thomas is to have his counselor send a monthly report directly to the Board. Dr. Thomas shall sign a release for the Board to obtain any records from, or communicate with, Dr. Thomas’s counselor.
11. That any authorization for the release of records signed by Dr. Thomas pursuant to this Order shall instruct that records be sent directly to the Board at 4848 N. Lincoln Blvd., Ste. 100, Oklahoma City, Oklahoma 73105.
12. That any authorization for the release of records signed by Dr. Thomas pursuant to this Order shall instruct the releasing facility that they are permitted to communicate directly with OSBOE Board Staff.
13. That Dr. Thomas will not enter a casino during the pendency of his five (5) year probation.
14. That Dr. Thomas will not participate in any sports betting during the pendency of his five (5) year probation.

15. That Dr. Thomas complete a Compliance Information Request form that is required to be submitted to Board staff within 30 days of this Order. (Exhibit A, Compliance Information Request Form.)
16. That Dr. Thomas will complete a Monthly Supervision Self-Report form that is required to be submitted to Board staff by the 10th day of each month. (Exhibit B, Monthly Supervision Self-Report).
17. That Dr. Thomas will maintain monthly contact with his Board Investigator.
18. That Dr. Thomas is required to notify the Board within fourteen (14) days of any changes to his residential or practice address.
19. That Dr. Thomas is required to notify the Board within fourteen (14) days of any changes to his cell phone number.
20. That Dr. Thomas is assessed an ongoing monthly Administrative Maintenance fee of one hundred dollars (\$100) due by the first day of each month. Dr. Thomas's first monthly fee payment is due on September 1, 2020, and continues monthly during the pendency of his probation.
21. That Dr. Thomas must reimburse the Board in the amount of \$8,680 for all expenses related to the investigation and prosecution at issue. The reimbursement cost is due within one (1) year of the date of this Order.
22. That Dr. Thomas must come before the Board, in person, every three (3) months during the pendency of his five (5) year probation where Orders of Probation may be amended.
23. Board staff shall have oversight of this Order on behalf of the Board, and the authority to direct Dr. Thomas to provide any and all documents and records

relevant to this matter, including but not limited to, the signing of any authorizations necessary for the release any and all evaluations/reports directly to the Board.

24. Any violation of this Order may result in further discipline of Dr. Thomas's license to practice osteopathic medicine in the State of Oklahoma.

This Order is a public record and therefore subject to the Oklahoma Open Records Act.

IT IS SO ORDERED this 7th day of July 2020.

DJ CARTER

Dennis Carter, D.O.
Board President
State Board of Osteopathic Examiners

**IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA**

STATE BOARD OF OSTEOPATHIC)	
EXAMINERS,)	
STATE OF OKLAHOMA,)	
)	
Petitioner,)	
)	
v.)	Case No. 1017-129
)	
JEREMY DAVID THOMAS, D.O.,)	
Osteopathic Medical License No. 4495)	
)	
Respondent.)	

EMERGENCY ORDER OF SUSPENSION PENDING A HEARING

This matter comes on for hearing before the Oklahoma State Board of Osteopathic Examiners [Board] at a regular meeting of the Board on December 14, 2017. The Board is represented by the Executive Director for the Board, Deborah J. Bruce. Jeremy David Thomas, D.O. [Dr. Thomas] could not appear in person and could not receive notice of the Emergency Hearing held on this date. The Board’s Chief Investigator, Richard Zimmer, appeared and gave testimony.

This Order is issued pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 620 *et. seq.* and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et. seq.*

The Board, after reviewing the pleadings, testimony at the hearing and considering all of the evidence and being fully advised specifically finds the following Findings of Fact and Conclusions of Law to be true and correct and proven by clear and convincing evidence.

FINDINGS OF FACT

After reviewing the Application for Emergency Order, hearing the testimony of the Board’s witness, and asking questions of the Board’s witness, the Board adopts, by clear and convincing evidence, the following Findings of Fact and Conclusions of Law.

1. Jeremy David Thomas, D.O. [Dr. Thomas] is the holder of a license to practice osteopathic medicine in the State Of Oklahoma, license number 4495. Dr. Thomas received his license as an osteopathic physician in Oklahoma from the Board in 2005. Dr.

Thomas is employed by the Premier Bone and Joint Specialists in Claremore. As of the date of this Emergency Hearing, his license is in good standing.

2. Efforts to provide notice of this proceeding to Dr. Thomas were unsuccessful.

3. An Application for an Emergency Order of Suspension and Citation were issued by the Board against Dr. Thomas on December 5, 2017. The Application and Citation are hereby incorporated by reference as if set forth in full herein.

4. At the Hearing evidence included that on October 17, 2017, Board Investigators met with OBNDD and DEA Agents. The Drug Diversion Agents had visited with Dr. Thomas at the Rogers County DA Office, Claremore Oklahoma. The Diversion Agents related the following conversation with Dr. Thomas:

Dr. Thomas was depressed. Dr. Thomas developed this problem after he had a hernia surgery operation and a hematoma he developed in his leg. Dr. Thomas admitted to using 8 to 10 Hydrocodone 10 mg tablets per day. Dr. Thomas admitted to splitting CDS prescriptions, mainly Hydrocodone-Acetaminophen, with at least four (4) of his patients.

Dr. Thomas “manipulated” the patients to obtain CDS from them. Dr. Thomas knew these patients needed CDS, so he used that to his advantage. Dr. Thomas did not pay for the CDS. He made the patient pay for the CDS. Dr. Thomas wrote the prescriptions. All of the patients were patients of Dr. Thomas’. Many of the prescriptions were not charted in his patient medical records. On that date, Dr. Thomas surrendered his OBNDD and DEA Drug Registrations to the Agents. (Testimony of the Board’s Chief Investigator Richard Zimmer.)

5. Testimony at the hearing also included that on October 26, 2017, Board Investigators issued subpoenas for Dr. Thomas’ medical records for patients identified as splitting prescriptions with Dr. Thomas. Dr. Thomas told diversion agents that not all prescriptions written were charted in his medical records. (Testimony of the Board’s Chief Investigator, Richard Zimmer.)

6. Evidence at the Hearing also included that on 10-26-2017, OSBOE Investigators served a Subpoena Duces Tecum to Rogers County District Attorney Chief Investigator, for a copy of text messages intercepted from six [6] of Dr. Thomas’ patients to Dr. Thomas. Upon review the texts corroborated the conversation between Diversion Agents and Dr. Thomas. Dr. Thomas would write the prescriptions, the patient would fill the prescription and the pills would then be split. All prescriptions were for scheduled drugs. In one text Dr. Thomas

directed the patient to meet him in the hospital parking lot because Dr Thomas would be in between surgeries. (Testimony of the Board's Chief Investigator Richard Zimmer.)

7. Board Investigators referred Dr. Thomas to the OHPP for evaluation. (Testimony of the Board's Chief Investigator Richard Zimmer.)

CONCLUSIONS OF LAW

1. The Board concludes that because Dr. Thomas has violated Section 637 of the Act, specifically § 637(A) (2) (g), (3), (4), (7), (8) and (12) and that it has the authority to take emergency disciplinary action.

2. The Board has jurisdiction to hear this matter pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 640 *et. seq.*, Rules of the Board, 510 OAC § 1-1-1 *et. seq.* and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et. seq.*

3. Dr. Thomas is in violation of the Oklahoma Osteopathic Medicine Act, 59 O.S. § 637 [Act] and specifically § 637(A) (2) (g), (3), (4), (7), (8) and (12) of the Act, to wit:

- A. The State Board of Osteopathic Examiners may refuse to admit a person or to an examination or may refuse to issue or reinstate or may suspend or revoke any license issued or reinstated by the Board upon proof that the applicant or holder of such license:
 2. Has engaged in the use or employment of dishonesty, fraud, misrepresentation, false promise, false pretense, unethical conduct or unprofessional conduct, as may be determined by the Board, in the furtherance or duties of an osteopathic physician, including, but not limited to the following:
 - g. Signing a blank prescription form; or dispensing, prescribing, administering or otherwise distributing any drug, controlled substance or other treatment without sufficient examination or the establishment of a physician/patient relationship, or for other than medically accepted therapeutic or experimental or investigational purpose duly authorized by a state or federal agency, or not in good faith to relieve pain and suffering, or not to treat an ailment, physical infirmity or disease, or violating any state or federal law on controlled dangerous substances;
 3. Has engaged in gross negligence, gross malpractice or gross incompetence;
 4. Has engaged in repeated acts of negligence, malpractice or incompetence;
 7. Has violated, or failed to comply with provisions of any act or regulation administered by the Board;
 8. is incapable, for medical or psychiatric or any other good cause, of discharging the functions of an osteopathic physician in a manner consistent with the public's health, safety and welfare; and

12. Has been guilty of habitual drunkenness, or habitual addiction to the use of morphine, cocaine or other habit-forming drugs.

4. The actions of Dr. Thomas, as described in paragraphs 1-7 of the Findings of Fact and paragraphs 1-5 of the Conclusions of Law, imperatively threaten the public health, safety and welfare and constitute an emergency circumstance that requires emergency action by this Board.

5. The Board also concludes that such actions, having been proven by clear and convincing evidence, are grounds for further discipline of Dr. Thomas' license. The Board further concludes that Dr. Thomas' license shall be suspended and shall remain suspended until a full hearing of all matters has been adjudicated.

EMERGENCY ORDER

The Board, having adopted the above-described Findings of Fact and Conclusions of Law, adopts the following Emergency Order:

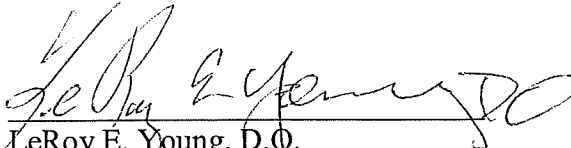
1. The license issued by the Board to Dr. Thomas to practice osteopathic medicine in the State of Oklahoma is **SUMMARILY SUSPENDED** pending further Hearing and Order of the Board. Such Hearing will be set by the Board upon written request by Dr. Thomas presented to the Board at the Board office. The hearing will be set within thirty days of the receipt of Dr. Thomas' written request or as soon thereafter as reasonably possible pursuant to law and rules of the Board. The written request shall allow sufficient time for a special meeting to be scheduled by the Board. Said Suspension shall continue until such time as the Board determines that Dr. Thomas' practice of osteopathic medicine does not threaten the public health, safety and welfare.

2. Nothing in this Order shall preclude the Board or Board Staff from initiating another disciplinary action against Dr. Thomas for actions that were not a part of this Order.

3. These Findings of Fact, Conclusions of Law and Emergency Order is a public record and subject to disclosure under the Oklahoma Open Records Act.

IT IS SO ORDERED, ADJUDGED AND DECREED this 14th day of December, 2017.

Effective Date: 1-8-2018


LeRoy E. Young, D.O.
President
State Board of Osteopathic Examiners

including, but not limited to the following:

- g. Signing a blank prescription form; or dispensing, prescribing, administering or otherwise distributing any drug, controlled substance or other treatment without sufficient examination or the establishment of a physician/patient relationship, or for other than medically accepted therapeutic or experimental or investigational purpose duly authorized by a state or federal agency, or not in good faith to relieve pain and suffering, or not to treat an ailment, physical infirmity or disease, or violating any state or federal law on controlled dangerous substances;
3. Has engaged in gross negligence, gross malpractice or gross incompetence;
4. Has engaged in repeated acts of negligence, malpractice or incompetence;
7. Has violated, or failed to comply with provisions of any act or regulation administered by the Board;
8. is incapable, for medical or psychiatric or any other good cause, of discharging the functions of an osteopathic physician in a manner consistent with the public's health, safety and welfare; and
12. Has been guilty of habitual drunkenness, or habitual addiction to the use of morphine, cocaine or other habit-forming drugs.

3. On October 17, 2017, Board Investigators met with OBNDD and DEA Agents. The Drug Diversion Agents had visited with Dr. Thomas at the Rogers County DA Office, Claremore Oklahoma. The Diversion Agents related the following conversation with Dr. Thomas:

Dr. Thomas was depressed. Dr. Thomas developed this problem after he had a hernia surgery operation and a hematoma he developed in his leg. Dr. Thomas admitted to using 8 to 10 Hydrocodone 10 mg tablets per day. Dr. Thomas admitted to splitting CDS prescriptions, mainly Hydrocodone-Acetaminophen, with at least four (4) of his patients.

Dr. Thomas "manipulated" the patients to obtain CDS from them. Dr. Thomas knew these patients needed CDS, so he used that to his advantage. Dr. Thomas did not pay for the CDS. He made the patient pay for the CDS. Dr. Thomas wrote the prescriptions. All of the patients were patients of Dr. Thomas'. Many of the prescriptions were not charted in his patient medical records. On that date, Dr. Thomas surrendered his OBNDD and DEA Drug Registrations to the Agents.

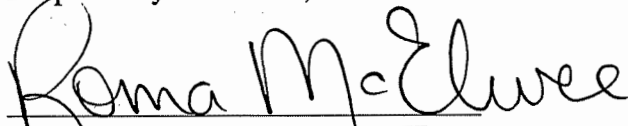
4. On October 26, 2017, Board Investigators issued subpoenas for Dr. Thomas' medical records for patients identified as splitting prescriptions with Dr. Thomas. Dr. Thomas told diversion agents that not all prescriptions written were charted in his medical records.

5. On 10-26-2017, OSBOE Investigators served a Subpoena Duces Tecum to Rogers County District Attorney Chief Investigator, for a copy of text messages intercepted from six [6] of Dr. Thomas' patients to Dr. Thomas. Upon review the texts corroborated the conversation between Diversion Agents and Dr. Thomas. Dr. Thomas would write the prescriptions, the patient would fill the prescription and the pills would then be split. All prescriptions were for scheduled drugs. In one text Dr. Thomas directed the patient to meet him in the hospital parking lot because Dr Thomas would be in between surgeries.

6. Board Investigators referred Dr. Thomas to the OHPP for evaluation.

THE ACTIONS OF DR. JEREMY THOMAS AS DESCRIBED IN PARAGRAPHS 1-6 OF THIS APPLICATION FOR EMERGENCY SUSPENSION PENDING A HEARING, IMPERATIVELY CONSTITUTE A THREAT TO THE HEALTH, SAFETY AND WELFARE OF THE PUBLIC THAT REQUIRES EMERGENCY ACTION BY THIS BOARD.

Respectfully submitted,



Roma McElwee, OBA No. 5977

4848 N. Lincoln, Suite 100

Oklahoma City, OK 73105

Tel: (405) 819-3323

Fax: (405) 557-0653

PROSECUTOR FOR THE BOARD

LICENSURE
& RENEWAL
HEARING
DOCKET

APPLICANTS
FOR
LICENSURE
APPEARING

ANTHONY
ABRAHAM,
D.O.
APPLICANT

IAN HUFF, D.O.
APPLICANT



Oklahoma State Board of Osteopathic Examiners

BOARD MEMBERS

KATIE TEMPLETON, J.D.
PRESIDENT
OKLAHOMA CITY

BRET LANGERMAN, D.O.
VICE PRESIDENT
MUSTANG

CATHERINE C. TAYLOR, J.D.
SECRETARY-TREASURER
TULSA

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OKLAHOMA CITY

JAY D. CUNNINGHAM, D.O.
OKLAHOMA CITY

DUANE KOEHLER, D.O.
TULSA

C. MICHAEL OGLE, D.O.
BARTLESVILLE

DENNIS J. CARTER, D.O.
POTEAU

May 25, 2022

VIA EMAIL [REDACTED]
AND U.S. MAIL

Ian Phillip Huff, D.O.
[REDACTED]

Re: Notice of Appearance re Licensure

Dear Dr. Huff:

Please be advised that you are required to appear on the Licensure and Renewal Hearing Docket before the Oklahoma Board of Osteopathic Examiners at its next meeting on **June 16, 2022. All such appearances for this docket are set for 10:00 a.m.** The Licensure Hearing Docket will be held in the large meeting room at the Board's Office, 4848 N. Lincoln Blvd., Ste. 100, Oklahoma City, Oklahoma.

Join Zoom Meeting:

<https://zoom.us/j/98817835727?pwd=R093Myt6NFA2VHhBUDNFskZyZ2RQZz09>

Meeting ID: **988 1783 5727**

Password: **060826**

Find your local number: <https://zoom.us/u/aGp5kcByB>

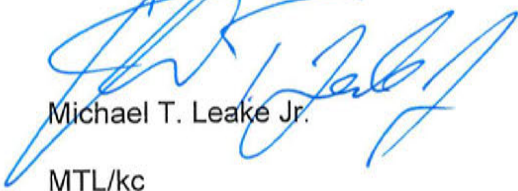
Please let us know in advance whether you intend to appear at the meeting by Zoom or in person.

Be further advised that at the conclusion of the Hearing, the Board may take no action, or any action allowed by provisions of the Oklahoma Osteopathic Medicine Act, 59 O.S. Section 620 et. seq., including approving, tabling, or denying the application.

If you are represented by counsel, a courtesy copy of this Notice has been provided to them. Please feel free to contact us if you have any questions.

Very truly yours,

OKLAHOMA STATE BOARD OF
OSTEOPATHIC EXAMINERS

A handwritten signature in blue ink, appearing to read "Michael T. Leake Jr.", is written over the typed name.

Michael T. Leake Jr.

MTL/kc

ADAM
NEWBORN,
D.O.
RESIDENT
TRAINING
APPLICANT

MITCHELL
STECKBECK,
D.O.
REAPPEARANCE
7423



Oklahoma State Board of Osteopathic Examiners

KATIE TEMPLETON, J.D.
PRESIDENT
OKLAHOMA CITY

BOARD MEMBERS
BRET LANGERMAN, D.O.
VICE PRESIDENT
MUSTANG

CATHERINE C. TAYLOR, J.D.
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TULSA

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OKLAHOMA CITY

JAY D. CUNNINGHAM, D.O.
OKLAHOMA CITY

DUANE KOEHLER, D.O.
TULSA

C. MICHAEL OGLE, D.O.
BARTLESVILLE

DENNIS J. CARTER, D.O.
POTEAU

May 25, 2022

VIA EMAIL [REDACTED]
AND U.S. MAIL

Mitchell Steckbeck, D.O.
[REDACTED]

Re: Notice of Appearance re Licensure

Dear Dr. Steckbeck:

Please be advised that you are required to appear on the Licensure and Renewal Hearing Docket before the Oklahoma Board of Osteopathic Examiners at its next meeting on **June 16, 2022. All such appearances for this docket are set for 10:00 a.m.** The Licensure Hearing Docket will be held in the large meeting room at the Board's Office, 4848 N. Lincoln Blvd., Ste. 100, Oklahoma City, Oklahoma.

Join Zoom Meeting:

<https://zoom.us/j/98817835727?pwd=R093Myt6NFA2VHhBUDNFskZyZ2RQZz09>

Meeting ID: **988 1783 5727**

Password: **060826**

Find your local number: <https://zoom.us/j/98817835727>

Please let us know in advance whether you intend to appear at the meeting by Zoom or in person.

Be further advised that at the conclusion of the Hearing, the Board may take no action, or any action allowed by provisions of the Oklahoma Osteopathic Medicine Act, 59 O.S. Section 620 et. seq., including approving, tabling, or denying the application.

If you are represented by counsel, a courtesy copy of this Notice has been provided to them. Please feel free to contact us if you have any questions.

OSBOE Q2 BOARD MATERIALS 0144

Very truly yours,

OKLAHOMA STATE BOARD OF
OSTEOPATHIC EXAMINERS

A handwritten signature in blue ink, appearing to read "Michael T. Leake Jr.", is written over the typed name.

Michael T. Leake Jr.

MTL/kc

OSBOE HISTORY SHEET

Mitchell Steckbeck, D.O.

Family Practice

Okla. Lic Number: 7423

Case Number: 2022-027 (JM)

Status: Granted Full License

7-9-2021 ORDER GRANTING FULL LICENSE

X Dr. Steckbeck appeared 6-17-2021 and was granted a full license

4-15-2022 Letter Requesting Appearance at 6-16-2022 meeting (NO ORDER)

- The Board requested Dr. Steckbeck appear 6-16-2022 meeting if he had not been placed in a new residency program at that time

IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA

RECEIVED/FILED

JUL 09 2021

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

IN THE MATTER OF MITCHELL)
STECKBECK, D.O.,) APPLICANT FOR ISSUE OF
Osteopathic Medical License No.) LICENSE
0002T)

ORDER GRANTING FULL LICENSE

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a regular meeting of the Board on June 17, 2021. Mitchell Steckbeck, D.O. ("Dr. Steckbeck") appears at the hearing in person and without counsel. Dr. Steckbeck's residency coordinator and director were present on Zoom.

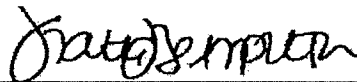
This Order is issued pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 620 et. seq. and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 et. seq.

The Board, after reviewing Dr. Steckbeck's Application and being fully advised, enters this Order Granting Full License.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Board that, for good cause shown, of Dr. Steckbeck's **APPLICATION FOR FULL LICENSE** is **GRANTED**. Dr. Steckbeck's license to practice osteopathic medicine in the State of Oklahoma is issued with the status of good standing and without any restrictions or curtailment. Dr. Steckbeck's temporary license is extended while the Board activates his full license.

This Order is a public record and therefore subject to the Oklahoma Open Records Act.

IT IS HEREBY ORDERED AND EFFECTIVE this 9th day of July 2021.



Katie Templeton, J.D.
Board President
State Board of Osteopathic Examiners

DALE SWITZER,
D.O.
APPLICANT



Oklahoma State Board of Osteopathic Examiners

BOARD MEMBERS

KATIE TEMPLETON, J.D.
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TULSA

C. MICHAEL OGLE, D.O.
BARTLESVILLE

DENNIS J. CARTER, D.O.
POTEAU

May 25, 2022

VIA EMAIL [REDACTED]
AND U.S. MAIL

Dale Switzer, D.O.
[REDACTED]

Re: Notice of Appearance re Licensure

Dear Dr. Switzer:

Please be advised that you are required to appear on the Licensure and Renewal Hearing Docket before the Oklahoma Board of Osteopathic Examiners at its next meeting on **June 16, 2022. All such appearances for this docket are set for 10:00 a.m.** The Licensure Hearing Docket will be held in the large meeting room at the Board's Office, 4848 N. Lincoln Blvd., Ste. 100, Oklahoma City, Oklahoma.

Join Zoom Meeting:

<https://zoom.us/j/98817835727?pwd=R093Myt6NFA2VHhBUDNFskZyZ2RQZz09>

Meeting ID: **988 1783 5727**

Password: **060826**

Find your local number: <https://zoom.us/u/aGp5kcByB>

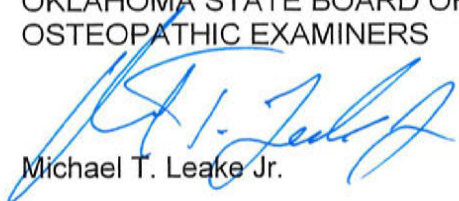
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Be further advised that at the conclusion of the Hearing, the Board may take no action, or any action allowed by provisions of the Oklahoma Osteopathic Medicine Act, 59 O.S. Section 620 et. seq., including approving, tabling, or denying the application.

If you are represented by counsel, a courtesy copy of this Notice has been provided to them. Please feel free to contact us if you have any questions.

Very truly yours,

OKLAHOMA STATE BOARD OF
OSTEOPATHIC EXAMINERS



Michael T. Leake Jr.

MTL/kc

ALIA WERBLIN,
D.O.
APPLICANT

REQUEST FOR
MID-LEVEL
EXCEPTION
SARAH MINOR,
D.O.
6299

**RATIFICATION
OF
APPROVED
LICENSES**

Approved Licenses Ratification List 3-16-2022 to 6-7-2022

Licensee/Applicant	License Number	License Category	License Status	License Type	Initial Licensure Date	License Expiry Date
Steven Millburn	7568	Osteopathic Physician and Surgeon	Active	In State	3/16/2022	6/30/2022
Aria Williams	7569	Osteopathic Physician and Surgeon	Active	In State	3/16/2022	6/30/2022
Fahimeh Sasan	7570	Osteopathic Physician and Surgeon	Active	In State	3/21/2022	6/30/2022
Larry Mathias	7571	Osteopathic Physician and Surgeon	Active	In State	3/23/2022	6/30/2022
Maryam Farooq	7575	Osteopathic Physician and Surgeon	Active	In State	3/29/2022	6/30/2023
Michael Sutton	7576	Osteopathic Physician and Surgeon	Active	In State	4/1/2022	6/30/2023
Moeez Qureshi	7577	Osteopathic Physician and Surgeon	Active	In State	4/1/2022	6/30/2023
Jonathan Hamilton	3896	Osteopathic Physician and Surgeon	Active	In State	4/6/2022	6/30/2023
Caleb Scheckel	7579	Osteopathic Physician and Surgeon	Active	In State	4/6/2022	6/30/2023
Nicole Tsang	7580	Osteopathic Physician and Surgeon	Active	In State	4/6/2022	6/30/2023
Demetrius Rizos	7581	Osteopathic Physician and Surgeon	Active	In State	4/6/2022	6/30/2023
Ajay Desai	7582	Osteopathic Physician and Surgeon	Active	In State	4/6/2022	6/30/2023
Ashley Garcia	7583	Osteopathic Physician and Surgeon	Active	In State	4/11/2022	6/30/2023
Michael Caniglia	7584	Osteopathic Physician and Surgeon	Active	In State	4/11/2022	6/30/2023
Addison Roberts	7585	Osteopathic Physician and Surgeon	Active	In State	4/18/2022	6/30/2023
Ayman Elbatanony	0012T	Temporary Resident	Active	In State	4/19/2022	10/16/2022
Jonathon Johnston	7587	Osteopathic Physician and Surgeon	Active	In State	4/20/2022	6/30/2023
Hong-Danh Ngo	7588	Osteopathic Physician and Surgeon	Active	Out of State	4/22/2022	6/30/2023
Rohan Patankar	7589	Osteopathic Physician and Surgeon	Active	Out of State	4/22/2022	6/30/2023
Carman Sparks-Parker	7590	Osteopathic Physician and Surgeon	Active	Out of State	4/22/2022	6/30/2023
Brian James	7591	Osteopathic Physician and Surgeon	Active	Out of State	4/22/2022	6/30/2023
Islam Fayed	7592	Osteopathic Physician and Surgeon	Active	In State	4/26/2022	6/30/2023
Kyle Ward	7593	Osteopathic Physician and Surgeon	Active	In State	4/26/2022	6/30/2023
Bryan Duell	7595	Osteopathic Physician and Surgeon	Active	Out of State	5/5/2022	6/30/2023
Hira Ahmed	7596	Osteopathic Physician and Surgeon	Active	In State	5/6/2022	6/30/2023
Avinash Ravilla	7597	Osteopathic Physician and Surgeon	Active	In State	5/6/2022	6/30/2023
Beth Marshall-Bergman	7599	Osteopathic Physician and Surgeon	Active	In State	5/6/2022	6/30/2023
Meera Patel	7600	Osteopathic Physician and Surgeon	Active	In State	5/6/2022	6/30/2023
Kelly Hefferon	7601	Osteopathic Physician and Surgeon	Active	In State	5/6/2022	6/30/2023
Daniel Kessler	7602	Osteopathic Physician and Surgeon	Active	In State	5/6/2022	6/30/2023
Phuc Nguyen	7603	Osteopathic Physician and Surgeon	Active	In State	5/6/2022	6/30/2023
Katia Jean Baptiste	7598	Osteopathic Physician and Surgeon	Active	In State	5/6/2022	6/30/2023
Jonathan Schneider	7604	Osteopathic Physician and Surgeon	Active	In State	5/10/2022	6/30/2023
Ryan Yang	7605	Osteopathic Physician and Surgeon	Active	In State	5/10/2022	6/30/2023
Dawn Barnhart	7606	Osteopathic Physician and Surgeon	Active	In State	5/16/2022	6/30/2023

Zachary Sullivan	7607	Osteopathic Physician and Surgeon	Active	In State	5/17/2022	6/30/2023
Thu Vo	7608	Osteopathic Physician and Surgeon	Active	In State	5/19/2022	6/30/2023
Theodore Welch	7609	Osteopathic Physician and Surgeon	Active	In State	5/20/2022	6/30/2023
Jaclyn Urquiola Sorzano	7610	Osteopathic Physician and Surgeon	Active	In State	5/25/2022	6/30/2023
Alan Tran	7611	Osteopathic Physician and Surgeon	Active	In State	6/1/2022	6/30/2023
Chance McInnis	7612	Osteopathic Physician and Surgeon	Active	In State	6/2/2022	6/30/2023
Steven Bander	7613	Osteopathic Physician and Surgeon	Active	In State	6/3/2022	6/30/2023

REPORTS
AND
POSSIBLE
ACTIONS

Board of Osteopathic Examiners: FY-2023 Budget Work Program

Summary

OBJECT CODE SUMMARY

5/19/2022

Expenditures by Month

Object of Exp. Code	Account	July	August	September	October	November	December	January	February	March	April	May	June	Total
511xxx	Payroll	59,465	42,098	42,524	42,098	42,098	42,098	42,098	42,098	43,160	43,598	47,350	42,095	530,782
512110	Insurance Premiums: Health & Life, etc.	7,167	7,167	7,167	7,167	7,167	7,167	7,308	7,308	7,308	7,308	7,308	7,290	86,832
512210	Unemployment	136	136	136	136	136	136	136	136	136	136	136	168	1,664
512310	Workers Comp. Prens.	1,000	0	0	0	0	0	0	0	0	0	0	0	1,000
513xxx	FICA & Retirement Contributions/Def.Comp.	45,843	9,780	9,883	9,780	9,780	9,780	9,780	9,780	10,037	10,143	11,047	9,813	155,442
	Total Payroll Expense	113,611	59,181	59,710	59,181	59,181	59,181	59,322	59,322	60,641	61,185	65,841	59,367	775,721
515xxx	Professional Services	42,754	7,253	7,253	11,003	7,253	7,253	11,003	7,253	7,250	11,000	7,250	7,250	133,775
519130	Flexible Benefits Administration	150	150	150	150	150	150	150	150	150	150	150	150	1,800
	Total Personal Services	156,515	66,584	67,113	70,334	66,584	66,584	70,475	66,725	68,041	72,335	73,241	66,767	911,296
521xxx	Travel Reimbursements	13,550	0	0	0	0	0	0	0	0	0	0	0	13,550
522xxx	Travel Direct Purchase	14,900	0	0	0	0	0	0	0	0	0	0	0	14,900
531xxx	Misc. Administrative Expenses	36,508	1,541	1,541	1,541	1,541	1,541	1,541	1,541	1,541	1,541	1,541	1,541	53,459
532xxx	Rent Expense	16,192	2,509	2,509	2,891	2,509	2,509	2,891	2,509	2,664	2,664	2,664	2,664	45,557
533xxx	Maintenance & Repair Expense	1,150	0	0	150	0	0	150	0	0	150	0	0	1,600
534xxx	Specialized Supplies & Mat'ls. Exp.	1,300	0	0	0	0	0	0	0	0	0	0	0	1,300
535xxx	Production, Safety & Security Exp.	1,500	0	0	0	0	0	0	0	0	0	0	0	1,500
536xxx	General Operating Expenses	6,450	0	1,000	0	0	1,000	0	0	1,000	0	0	1,000	10,450
537xxx	Agric. & Vehicle Supplies	0	0	0	0	0	0	0	0	0	0	0	0	0
541xxx	Office Furniture and Equipment	833	833	833	833	833	833	833	833	833	833	833	837	10,000
542xxx	Library Equipment and Resources	140	0	0	0	0	0	0	0	0	0	0	0	140
543xxx	Lease-Purchase Payments	0	0	0	0	0	0	0	0	0	0	0	0	0
546xxx	Buildings & Other Structures	0	0	0	0	0	0	0	0	0	0	0	0	0
548xxx	Bond Debt Payments	0	0	0	0	0	0	0	0	0	0	0	0	0
552xxx	Incentives, etc.	250	0	0	0	0	0	0	0	0	0	0	0	250
561xxx	Employee Reimburse - non travel	0	0	0	0	0	0	0	0	0	0	0	0	0
561xxx	Handicapped Vendor Levy	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total Other Expense	92,773	4,883	5,883	5,415	4,883	5,883	5,415	4,883	6,038	5,188	5,038	6,042	152,706
	Division/Unit Totals	249,288	71,467	72,996	75,749	71,467	72,467	75,890	71,608	74,079	77,523	78,279	72,809	1,064,002
variance to detail sheet totals														



Title 59. Professions and Occupations

- 📖 Oklahoma Statutes Citationized
- 📖 Title 59. Professions and Occupations
- 📖 Chapter 14 - Oklahoma Osteopathic Medicine Act
- 📖 Annual Reregistration
- 📖 Section 643 - Use of Fund

Cite as: 59 O.S. § 643 (OSCN 2022), Annual Reregistration

The funds received pursuant to the Oklahoma Osteopathic Medicine Act or the Oklahoma Abortion-Inducing Drug Certification Program Act shall be deposited to the credit of the State Board of Osteopathic Examiners Revolving Fund and may be expended by the State Board of Osteopathic Examiners and under its direction in assisting in the enforcement of the laws of this state prohibiting the unlawful practice of osteopathic medicine, assisting in the support of a peer assistance program, and for the dissemination of information to prevent the violation of such laws, and for the purchasing of supplies and such other expense as is necessary to properly carry out the provisions of the Oklahoma Osteopathic Medicine Act or the Oklahoma Abortion-Inducing Drug Certification Program Act.

Historical Data

Laws 1939, HB 638, p. 76, § 3, emerg. eff. May 12, 1939; Amended by Laws 1955, HB 686, p. 329, § 3, emerg. eff. May 7, 1955; Amended by Laws 1980, SB 529, c. 246, § 3, emerg. eff. May 16, 1980; Amended by Laws 1983, SB 142, c. 152, § 22, emerg. eff. May 26, 1983; Amended by Laws 1993, HB 1323, c. 230, § 22, emerg. eff. July 1, 1993; Amended by Laws 2001, SB 154, c. 16, § 8, eff. November 1, 2001 ([superseded document available](#)); Amended by Laws 2021, SB 779, c. 578, § 18, eff. November 1, 2021 ([superseded document available](#)).

Citationizer[®] Summary of Documents Citing This Document

Cite Name	Level
Oklahoma Session Laws - 2001	
<i>Cite</i>	<i>Name</i> <i>Level</i>
2001 O.S.L. 16 , 2001 O.S.L. 16 ,	<u>Professions and occupations; relating to the Osteopathic Medicine Act; requiring specified interns be licensed; providing limits on practice involving electronic means; modifying licensing procedures. Effective date.</u> Discussed

Citationizer: Table of Authority

Cite Name	Level
Title 59. Professions and Occupations	
<i>Cite</i>	<i>Name</i> <i>Level</i>
59 O.S. 643 ,	<u>Use of Fund</u> Cited

Licensing update for June 2022

Total Active licenses – 3,690

- Total Number of New/Initial Applications Only (in-state and out-of-state) (\$575 fee):
 - 2019: 302
 - 2020: 315
 - 2021: 334
 - 2022: 216 (Jan.-June)
- Total Number of In-State Renewals Only (\$225 per year fee):
 - 2019-20: 2,235
 - 2020-21: 2,448
 - 2021-22: 2,403
 - 2022-23: 1,149 so far
- Total Number of Out-of-State Renewals Only (\$150 per year fee):
 - 2019-20: 388
 - 2020-21: 394
 - 2021-22: 490
 - 2022-23: 227 so far
- Total Number of Late Renewals Only (\$150 fee):
 - 2019-20: 132
 - 2020-21: 83
 - 2022-23: 7 (Jan.-March)
- Total Number of Residents & Fully Retired Licenses Renewals Only (\$200 per year fee):
 - 2019-20: 346
 - 2020-21: 293
 - 2022-23: 238 – Residents & 23 – Retired (Jan.-June)
- Total Number of Emergency Temporary Licenses (No fee):
 - 2019: 0
 - 2020: 56
 - 2021: 64 altogether that has now expired
 - 2022: 0
- Total Number of Temporary Resident Licenses Only (\$100 per year fee):
 - 2019: 0
 - 2020: 0
 - 2021: 12
 - 2022: 3
- Total Number of Resident Training Licenses Only (\$120 fee):
 - 2019: 57
 - 2020: 65
 - 2021: 75
 - 2022: 79 so far in que to license for 2023

- Total Number of Telemedicine License Only (\$500 fee):
 - 2019: 1
 - 2020: 1
 - 2021: 0
 - 2022: 0
- Total Number of Spouse of Active-Duty Military Licenses Only (\$250 fee):
 - 2019: 0
 - 2020: 0
 - 2021: 0
 - 2022: 0
- Total Number of Special Volunteer Licenses Only (No fee):
 - 2019: 5
 - 2020: 0
 - 2021: 4
 - 2022: 0
- Total Number of IMLCC Full Licenses (\$575):
 - 2019: 0
 - 2020: 22
 - 2021: 35
 - 2022: 27

Updated September 11, 2020

**OKLAHOMA ADMINISTRATIVE CODE
TITLE 435. STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION
CHAPTER 15. PHYSICIAN ASSISTANTS
INDEX**

Subchapter 1. General Provisions

Subchapter 3. Licensure of Physician Assistants

Subchapter 5. Regulation of Practice

Subchapter 7. Advisory Committee (REVOKED)

Subchapter 9. Guidelines for the Utilization of Physician Assistants (REVOKED)

Subchapter 11. Prescriptive and Dispensing Authority

Appendix A. Physician Assistant Protocol (REVOKED)

Subchapter 13. Prescription Transmittal Guidelines (REVOKED)

SUBCHAPTER 1. GENERAL PROVISIONS

Section

435:15-1-1. Purpose

435:15-1-1.1. Definitions

435:15-1-2. License required

435:15-1-1. Purpose

The rules in this chapter set the criteria for qualifying, applying, and practicing as a physician assistant.

435:15-1-1.1. Definitions

- (a) The following words and terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

~~"Alternate supervising physician" means a physician who has been delegated the duties of a supervising physician pursuant to 435:15-3-13(e).~~

"Board" means the State Board of Medical Licensure and Supervision.

"Clinically inactive" means a person that was issued a physician assistant license by any jurisdiction or was employed as a physician assistant by a federal employer and within the past twenty-four (24) months has not:

(A) practiced as a physician assistant; or

(B) been employed by an accredited physician assistant educational program.

"Committee" means the Physician Assistant Committee.

"Delegating physician" means an individual holding a license in good standing as a physician from the State Board of Medical Licensure and Supervision or the State Board of Osteopathic Examiners, who supervises physician assistants and delegates decision making pursuant to the practice agreement.

~~"On-site" means the following as it relates to the usage of Schedule II drugs:~~

(A) Hospital in-patients;

(B) Emergency room;

(C) Surgicenters licensed by the State Health Department; or

(D) ~~Medical clinics or offices in cases of emergency as defined by the supervising delegating physician~~

(E) ~~State-owned Veterans Administration long-term care facilities with an in-house pharmacy.~~

~~"Primary supervising physician" means a physician meeting the requirements of 435:15-3-13(a) who is not an alternate supervising physician with respect to the same physician assistant.~~

- (b) The terms defined under 59 O.S. § 519.2 shall apply to this chapter.

435:15-1-2. License required

A physician assistant must possess a license issued by the Board prior to practicing such profession.

SUBCHAPTER 3. LICENSURE OF PHYSICIAN ASSISTANTS

Section

- 435:15-3-1. Qualification; application
- 435:15-3-2. Qualifications; examination; character (REVOKED)
- 435:15-3-3. Approval to supervise more than two PA's (RENUMBERED)
- 435:15-3-4. Application for second Physician's Assistant (REVOKED)
- 435:15-3-5. Transfer of certificate; temporary certification; display of certificate (REVOKED)
- 435:15-3-6. Registry of qualifications (REVOKED)
- 435:15-3-7. Re-certification (REVOKED)
- 435:15-3-8. Back-up or alternate supervising physician (REVOKED)
- 435:15-3-9. Temporarily delegated supervision (REVOKED)
- 435:15-3-10. Continuing education for renewal (RENUMBERED)
- 435:15-3-11. License renewal period; reinstatement (RENUMBERED)
- 435:15-3-12. Review; Temporary authorization to practice
- 435:15-3-13. ~~Supervising Delegating~~ physician; ~~alternatives~~
- 435:15-3-14. Temporary approval of an application to practice by a Licensed Physician Assistant (REVOKED)
- 435:15-3-15. Approval to supervise more than two PA's (REVOKED)
- 435:15-3-16. Alternate supervising physician (REVOKED)
- 435:15-3-17. Continuing education for renewal
- 435:15-3-18. License renewal period; reinstatement (REVOKED)
- 435:15-3-19. Locum tenens (REVOKED)

435:15-3-1. Qualification; application

(a) **Qualifications.** No license shall be issued unless an applicant:

- (1) Submits an application and other information pursuant to subsections (b) and (c) and remits the required fee.
- (2) Has successfully completed an educational program for physician assistants accredited by the Accreditation Review Commission on Education for the Physician Assistant, or prior to 2001, either by the Committee on Allied Health Education and Accreditation, or the Commission on Accreditation of Allied Health Education Programs. The board may also issue a license to an applicant who does not meet the educational requirement specified in this section, but who passed the Physician Assistant National Certifying Examination administered by the National Commission on Certification of Physician Assistants prior to 1986.
- (3) Has passed the Physician Assistant National Certifying Examination administered by the National Commission on Certification of Physician Assistants.
- (4) Jurisprudence examination.
 - (A) Has responded correctly to seventy-five (75) percent or greater questions on a jurisprudence examination prepared by the board staff. The examination shall include:
 - (i) The Physician Assistant Act; and

- (ii) Significant state statutes or rule impacting physician assistant practice.
- (B) The board shall supply the applicant with a copy of the statutes, rules, or other material from which the examination is based while the applicant is completing the examination.
- (C) An applicant that does not meet the requirement under subsection (4)(i) after three attempts shall meet with the secretary of the board to create a study plan prior to reexamination.
- (5) Does not hold a license or registration as a physician assistant that is currently under discipline, revocation, suspension, or probation relating to practice as a physician assistant. The board may waive this paragraph (6).
- (6) Pursuant to 59 O. S. § 519.4, be of good moral character; and
- (7) For a renewal application, has met the continuing medical education requirements pursuant to 435:15-3-17.

(b) Application.

~~(1) The applicant shall complete an application form approved by the board and such additional forms necessary for the board to consider the application and the qualifications of the applicant.~~

~~(2) Pursuant to 59 O.S. § 519.6, the application shall include:~~

- ~~(A) A description of the physician's practice,~~
- ~~(B) Methods of supervising and utilizing the physician assistant, and~~
- ~~(C) Names of alternate supervising physicians who will supervise the physician assistant in the absence of the primary supervising physician.~~

(1) No health care services may be performed by a physician assistant unless a current license is on file with and approved by the State Board of Medical Licensure and Supervision.

(A) All practice agreements and any amendments shall be filed with the State Board of Medical Licensure and Supervision within ten (10) business days of being executed.

(B) Practice agreements may be filed electronically.

(C) The State Board of Medical Licensure and Supervision shall not charge a fee for filing or amendments of practice agreements.

(2) A physician assistant may have practice agreements with multiple allopathic or osteopathic physicians. Each physician shall be in good standing with the State Board of Medical Licensure and Supervision or the State Board of Osteopathic Examiners.

(3) Renewal.

(A) An application for renewal shall include any changes from the most recent application submitted to the board not previously submitted.

(B) An applicant for renewal shall submit the examination under subsection (a)(4).

(C) An application for renewal shall be submitted not later than March 31 of each calendar year.

(D) A license shall expire if a renewal application is not submitted by March 31.

(E) A renewal application submitted between April 1 and May 31 must be accompanied by the late fee pursuant to 435:1-1-7(a)(2)(E).

(F) An application after May 31 shall be considered an initial application.

(4) Return to practice.

(A) Application. This subsection (a)(4) shall apply to an applicant that is clinically inactive.

(B) In addition to complying with the provision of this section 435:15-3-1, an applicant under this subsection (a)(4) shall:

(i) Complete a reentry plan approved by the board or a board designee; and

(ii) Comply with any practice conditions approved by the board.

(c) **Other information.** An applicant shall submit or make available any other information the board deems necessary to evaluate the applicant.

435:15-3-2. Qualifications; examination; character (Revoked)

435:15-3-3. Approval to supervise more than two PA's (Renumbered to 435:15-3-15) **435:15-3-4. Application for second Physician Assistant** (Revoked)

435:15-3-5. Transfer of certificate; temporary certification; display of certificate (Revoked)

435:15-3-6. Registry of qualifications (Revoked)

435:15-3-7. Re-certification (Revoked)

435:15-3-8. Back-up or alternate supervising physician (Revoked)

435:15-3-9. Temporarily delegated supervision (Revoked)

435:15-3-10. Continuing education for renewal (Renumbered to 435:15-3-17)

435:15-3-11. License renewal period; reinstatement (Renumbered to 435:15-3-18)

435:15-3-12. Review; Temporary authorization to practice

(a) The chair or designee of the physician assistant committee shall review each application and information submitted in support of the application and shall promptly transmit a recommendation to the secretary of the board if the application should be temporarily approved.

(b) Based on the recommendation under subsection (a), the secretary of the board may temporarily approve a license for an applicant meeting the requirements of this chapter 15 pursuant to 59 O.S. § 519.7. A temporarily approved license shall be reviewed at the next regular meeting of the board. A temporary approval of a license shall expire if the board rejects the application.

(c) The board shall issue a license to an applicant meeting the requirements of this chapter 15.

435:15-3-13. Supervising Delegating physician; alternatives

(a) **Qualifications.**

(1) Pursuant to 59 O.S. § 519.2, a supervising delegating physician must be licensed as a physician by either the:

(A) State Board of Medical Licensure and Supervision, or

(B) State Board of Osteopathic Examiners.

(2) A license under subsection (a)(1) must be unrestricted.

(3) The board may waive the requirement under (a)(2) if the board determines the restriction will not impede the ability of the supervising delegating physician to supervise a physician assistant.

(b) **Review.** A supervising delegating physician shall review the care provided to each patient receiving health care services by a physician assistant with a temporarily approved license.

~~(c) **Physician assistants supervised.**~~

~~(1) A supervising physician shall not serve as the supervising physician for more than a total of six (6) physician assistants and/or advanced practice nurses regarding their prescriptive authority.~~

~~(2) Subsection (c)(1) shall not apply to a supervising physician who is a medical director or supervising physician of a state institution, correctional facility, or hospital.~~

~~(3) On the request of an applicant or supervising physician, the board may waive the requirement under subsection (c)(1).~~

~~(d) A physician assistant may have more than one (1) supervising physician.~~

~~(e) **Alternate supervising physician.** The duties of a primary supervising physician may be delegated to an alternate supervising physician that:~~

~~(1) Meets the requirements of this section 435:15-3-13; and~~

~~(2) Has a practice that is reasonably similar to the primary supervising physician.~~

435:15-3-14. Temporary approval of an application to practice by a Licensed Physician Assistant (Revoked)

435:15-3-15. Approval to supervise more than two PA's (Revoked)

435:15-3-16. Alternate supervising physician (Revoked)

435:15-3-17. Continuing education for renewal

(a) Applicants initially licensed as a physician assistant will be exempt from reporting Continuing Medical Education (CME) credits until one year after licensure, thereafter each applicant for renewal must ~~provide evidence that he or she has~~ have successfully earned at least twenty (20) hours of Category I CME hours during the preceding calendar year.

(b) At least one (1) hour of Category I CME shall be earned each calendar year concerning the topic of substance abuse.

(c) The CME hours shall be logged and reported to the Board on an annual basis by the Oklahoma Academy of Physician Assistants, Inc. The applicant shall bear the cost of this requirement.

(d) Any applicant for renewal who does not meet the requirements for continuing education by December 31 of the previous calendar year may not renew until deficient hours are obtained and verified. Additionally, within the next calendar year the licensee will be required to obtain forty (40) hours of Category I CME. Failure to meet these additional requirements will result in further disciplinary action.

435:15-3-18. License renewal period; reinstatement (Revoked)

435:15-3-19. Locum tenens

~~The Secretary of the Board may grant temporary approval to any physician and physician assistant for an application to practice on a short term basis as a locum tenens in any patient care setting provided the following requirements are met:~~

~~(1) The physician assistant must possess a current license issued by the Board.~~

~~(2) The application to practice meets all other requirements established by the Committee and Board.~~

~~(3) The temporary approval of an application to practice as a locum tenens shall be for a period of not more than one calendar month in any one calendar year period.~~

~~(4) The supervising physician shall provide written protocols or direct orders governing the patient care delivered by the physician assistant.~~

~~(5) The supervising physician shall review the care given to every patient seen by the physician assistant during the locum tenens and countersign every patient chart within 24 hours of the care being rendered.~~

SUBCHAPTER 5. REGULATION OF PRACTICE

Section

435:15-5-1. Supervision; physician responsibility; independent care prohibited (REVOKED)

435:15-5-1.1. Health care services performed and prohibited (REVOKED)

435:15-5-2. Patient care setting (REVOKED)

435:15-5-3. Assignment of diagnostic and therapeutic procedures (REVOKED)

435:15-5-4. Academic positions (REVOKED)

435:15-5-5. Approval of educational and/or experimental programs

435:15-5-6. Restriction on eye care (REVOKED)

435:15-5-7. Display of identification

435:15-5-8. Demonstrate ability to perform (REVOKED)

435:15-5-9. Fees for evaluation of qualifications and performance (REVOKED)

435:15-5-10. Prescriptions

435:15-5-11. Discipline

435:15-5-12. Pre-signed prescriptions (REVOKED)

435:15-5-13. Certification of training and notification to liability carrier (REVOKED)

435:15-5-1. Supervision; physician responsibility; independent care prohibited (Revoked)

435:15-5-1.1. Health care services performed and prohibited (Revoked)

435:15-5-2. Patient care setting (Revoked)

435:15-5-3. Assignment of diagnostic and therapeutic procedures (Revoked)

435:15-5-4. Academic positions (Revoked)

435:15-5-5. Approval of educational and/or experimental programs

A physician assistant education program accredited by the Accreditation Review Commission on Education for the Physician Assistant, or prior to 2001, either by the Committee on Allied Health Education and Accreditation, or the Commission on Accreditation of Allied Health Education Programs shall be considered approved for the purposes of the Physician Assistant Act.

435:15-5-6. Restriction on eye care (Revoked)

435:15-5-7. Display of identification

(a) A physician assistant must clearly identify herself/himself as a physician assistant when engaged in professional activities.

(b) The Physician Assistant license issued by the Board shall be prominently displayed in the primary place of practice and the physician assistant shall have on his/her person evidence of current renewal.

435:15-5-8. Demonstrate ability to perform (Revoked)

435:15-5-9. Fees for evaluation of qualifications and performance (Revoked)

435:15-5-10. Prescriptions

The following apply to a physician assistant who has been delegated prescriptive authority that has been approved by the board:

- (1) A prescription or order for medical supplies and ancillary services issued by a physician assistant may be written, electronic, or oral.
- (2) Prescriptions for Schedules II, III, IV and V drugs may be issued in accordance with 63 O.S. § 2-309I. for up to a 30-day supply with no refills. The physician assistant will access relevant prescription monitoring information from the central repository pursuant to 63 O.S. § 309-D. In order for a physician assistant to prescribe a controlled substance, the physician assistant must be currently registered with the federal Drug Enforcement Administration and the Oklahoma Bureau of Narcotics and Dangerous Drugs.
- (3) A physician assistant may write an order for a Schedule II drug for immediate or ongoing administration. ~~on-site. For the purposes of this provision, as well as 59 O.S. § 519.6(D), "on-site" shall mean a:~~
 - ~~(A) hospital,~~
 - ~~(B) emergency room,~~
 - ~~(C) surgicenter licensed by the department of health, or~~
 - ~~(D) medical clinics or offices.~~
 - ~~(E) state-owned Veterans Administration long-term care facilities with an in-house pharmacy.~~
- (4) A physician assistant may not dispense drugs but may request, receive, and sign for professional samples and may distribute professional samples to patients.

435:15-5-11. Discipline

- (a) **Prohibited acts.** No person shall:
 - (1) fraudulently or deceptively obtain or attempt to obtain a license;
 - (2) fraudulently or deceptively use a license;
 - (3) act contrary to this chapter 15, the Physician Assistant Act, or other laws or regulations governing licensed health professionals or any stipulation or agreement of the board.
 - (4) violate any provision of the Medical Practice Act or the rules promulgated by the Board.
- (b) **Grounds for action.** The board may take an action under subsection (c) when a person:
 - (1) acts contrary to subsection (a);
 - (2) is convicted of a felony;
 - (3) is a habitual user of intoxicants or drugs to such an extent that he or she is unable to safely practice as a physician assistant;
 - (4) has been adjudicated as mentally incompetent;
 - (5) is physically or mentally unable to engage safely in practice as a physician assistant;
 - (6) is negligent in practice as a physician assistant or demonstrates professional incompetence;
 - (7) violates patient confidentiality, except as required by law;
 - (8) engages in conduct likely to deceive, defraud or harm the public;
 - (9) engages in unprofessional or immoral conduct;
 - (10) prescribes, sells, administers, distributes, orders or gives away any drug classified as a controlled substance:
 - (A) for other than medically accepted therapeutic purposes,
 - (B) in excess of the amount considered good medical practice, or
 - (C) in excess of the maximum limits authorized under 63 O.S. § 2-309I.

- (11) has committed an act of moral turpitude;
 - (12) is disciplined or has been disciplined by another state or jurisdiction based upon acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action as defined in this section;
 - (13) fails to cooperate with an investigation conducted by the board; or
 - (14) represents himself or herself as a physician.
- (c) **Actions.** The board, on finding grounds exist under subsection (b) and pursuant to the Administrative Procedures Act, 75 O.S. § 250 *et seq.*, may:
- (1) refuse to grant a license;
 - (2) administer a public or private reprimand;
 - (3) revoke, suspend, limit or otherwise restrict a license;
 - (4) require a physician assistant to submit to the care or counseling or treatment of a health professional designated by the board;
 - (5) impose corrective measures;
 - (6) impose a civil penalty or fine;
 - (7) suspend enforcement of its finding thereof and place the physician assistant on probation with the right to vacate the probationary order for noncompliance; or
 - (8) restore or reissue, at its discretion, a license, and remove any disciplinary or corrective measure that it may have imposed.
- (d) The board may prohibit a physician who willfully and knowingly allows or participates with a physician assistant who acted contrary to this chapter 15 from supervising a physician assistant.

435:15-5-12. Pre-signed prescriptions (Revoked)

435:15-5-13. Certification of training and notification to liability carrier (Revoked)

SUBCHAPTER 7. ADVISORY COMMITTEE (REVOKED)

Section

435:15-7-1. Physician Assistant Advisory Committee (REVOKED)

435:15-7-1. Physician Assistant Advisory Committee (Revoked)

SUBCHAPTER 9. GUIDELINES FOR THE UTILIZATION OF PHYSICIAN ASSISTANTS (REVOKED)

Section

435:15-9-1. General responsibilities and obligations (REVOKED)

435:15-9-2. Supervision (REVOKED)

435:15-9-3. New patients (REVOKED)

435:15-9-4. Setting (REVOKED)

435:15-9-5. Understanding and variance from guidelines (REVOKED)

435:15-9-1. General responsibilities and obligations (Revoked)

435:15-9-2. Supervision (Revoked)

435:15-9-3. New patients (Revoked)

435:15-9-4. Setting (Revoked)

435:15-9-5. Understanding and variance from guidelines (Revoked)

SUBCHAPTER 11. PRESCRIPTIVE AND DISPENSING AUTHORITY

Section

435:15-11-1. Prescriptive and dispensing authority

435:15-11-2. Drug formulary

435:15-11-1. Prescriptive and dispensing authority

(a) A physician assistant who is recognized by the Board to prescribe under the direction of a supervising delegating physician and is in compliance with the registration requirements of the Uniform Controlled Dangerous Substances Act, in good faith and in the course of professional practice only, may issue ~~written and oral~~ prescriptions, orders for home health pursuant to 63 O.S. § 1-1961, et seq., medical supplies, services and drugs, including controlled medications in Schedules II, III, IV, and V pursuant to 63 O.S. §2-312 and 59 O.S. § 519.6E. ~~as delegated by the supervising delegating physician and as approved in the Physician Assistant Drug Formulary (OAC 435:15-11-2).~~

~~(b) Any prescription for a pure form or combination of the following generic classes of drugs, listed in 435:15-11-2, may be prescribed, unless the drug or class of drugs is listed as excluded. Written prescriptions for drugs or classes of drugs that are excluded may be transmitted, only with the direct order of the supervising physician.~~

(c) Prescriptions for non-controlled medications may be written for up to a ~~30-90~~-day supply with ~~two (2) three (3)~~ refills of an agent prescribed for a new or established diagnosis. ~~For patients with an established diagnosis, up to a 90-day supply with refills up to one year can be~~ Prescriptions can be, written and signed, or called into a pharmacy by a physician assistant.

(d) Prescriptions for Schedules II, III, IV and V controlled medications may be written in accordance with 63 O.S. § 2-309I. ~~for up to a 30-day supply. No refills of the original prescription are allowed.~~ In order for a physician assistant to prescribe a controlled substance in an out-patient setting, the physician assistant must be currently be registered with the Drug Enforcement Administration and Oklahoma Bureau of Narcotics and Dangerous Drugs.

(e) A physician assistant may write an order for a Schedule II drug for immediate or ongoing administration ~~on-site~~. Prescriptions and orders for Schedule II drugs written by a physician assistant must be included on a written protocol determined by the supervising delegating physician and approved by the medical staff committee of the facility. ~~or by direct verbal order of the supervising physician.~~ In order for a physician assistant to prescribe and order a Schedule II controlled substance for immediate or ongoing administration ~~on-site~~, the physician assistant must be currently registered with the Drug Enforcement Administration and Oklahoma Bureau of Narcotics and Dangerous Drugs.

(f) A prescription issued by a physician assistant, ~~whether written or oral~~, shall be the joint responsibility of the physician assistant and supervising delegating physician. ~~The supervising physician shall be responsible for the formulation and/or approval of all orders and protocols which allow the physician assistant to issue prescriptions. Questions concerning a prescription may be directed either to the supervising physician whose name shall appear on the prescription blank or to the physician assistant.~~

(g) ~~All new drug entities will be restricted from the Drug Formulary, listed in 435:15-11-2, and added, if at all, only after review and approval by the Oklahoma State Board of Pharmacy and the Committee, and subsequent approval by the Board. This restriction shall not apply to modifications of current generic drugs included on the Drug Formulary.~~

(h) ~~(g)~~ Physician Assistants may not dispense drugs, but may request, receive and sign for professional samples and may distribute professional samples directly to patients in accordance with ~~written~~ policies established by the supervising delegating physician.

435:15-11-2. Drug formulary

(a) Physician Assistants in accordance with the Physician Assistant Act may prescribe medications that are within the scope of physician assistant practice, under the supervision of a licensed supervising delegating physician and the Physician Assistant Drug Formulary. ~~The Drug Formulary shall list drugs or categories of drugs that shall or shall not be prescribed by the physician assistant or prescribed only under certain criteria. The Drug Formulary is consistent with categories as classified in the American Hospital Formulary Service Information Book (current).~~

(b) ~~The Committee will, at least on an annual basis and in a timely manner, review the structure and content of the Physician Assistant Drug Formulary and make such revisions as it deems necessary. Any proposed changes must be reviewed and approved by the State Board of Medical Licensure and Supervision after consultation with the State Board of Pharmacy before becoming effective. The Drug Formulary can be reviewed per O.A.C § 535:15-3-6. Copies of the formulary shall be made available to any licensed pharmacy in the State of Oklahoma upon request. The Board assumes that all supervising delegating physicians and physician assistants are completely familiar with the law and rules governing prescriptive authority of physician assistants.~~

(c) ~~All drugs in categories listed in 435:15-11-2(d) as defined by the American Hospital Formulary Service Information Book (current) may be prescribed by physician assistants, except as noted in section 435:15-11-2(e).~~

(d) ~~Inclusionary formulary~~

~~(1) Antihistamine agents~~

~~(2) Anti-infectives~~

~~(3) Autonomic agents~~

~~(4) Blood formation and coagulation agents~~

~~(5) Cardiovascular agents~~

~~(6) Central nervous system agents~~

~~(7) Diagnostic agents~~

~~(8) Electrolyte, caloric and water balance agents~~

~~(9) Enzymes~~

~~(10) Expectorants, antitussives and mucolytic agents~~

~~(11) Eye, ear, nose and throat preparations~~

~~(12) Gastrointestinal agents~~

- ~~(13) Hormone and synthetic substitutes~~
- ~~(14) Local anesthetics~~
- ~~(15) Skin and mucous membrane agents~~
- ~~(16) Smooth muscle relaxants~~
- ~~(17) Vitamins~~
- ~~(18) Miscellaneous therapeutic agents~~

APPENDIX A. PHYSICIAN ASSISTANT PROTOCOL (REVOKED)

SUBCHAPTER 13. PRESCRIPTION TRANSMITTAL GUIDELINES (REVOKED)

Section

435:15-13-1. General policies for transmittal of prescriptions (REVOKED)

435:15-13-2. Medications (REVOKED)

435:15-13-3. Information required on written prescriptions (REVOKED)

435:15-13-1. General policies for transmittal of prescriptions (Revoked)

435:15-13-2. Medications (Revoked)

435:15-13-3. Information required on written prescriptions (Revoked)

DANIEL
GAMINO, J.D.,
GENERAL
COUNSEL

JOHN
KUHNS, M.D.,
OHPP



OKLAHOMA HEALTH PROFESSIONALS PROGRAM

On behalf of the Oklahoma Health Professionals Program (OHPP), I would like to thank you for your ongoing support of the OHPP's mission.

Since our founding in 1983, we have helped nearly 1,000 physicians and health care providers return to practice after dealing with substance abuse, or boundary issues. We provide a safe environment in which program participants can talk freely with their colleagues about the pressures and demands facing health care providers while also receiving expert consultation and intervention services to meet their individual needs.

At OHPP, we take our role very seriously. We are fully committed to ensuring that our participants receive the guidance and support they need to overcome their obstacles and safely return to their respective practices. We cannot do that without ensuring that the treatment and monitoring of every participant is handled fairly and consistently. It is our commitment to you and to our participants that everyone who signs a contract with us can expect to be treated with respect, confidentiality and consistency.

I would be remiss if I did not mention the financial requirements necessary to operate the OHPP. It costs over \$5,000 per participant annually to administer our program. While generous financial support from the Oklahoma State Medical Association and PLICO help underwrite a significant portion of these costs, we are reliant on the various boards and associations who support our mission to ensure the program's viability. As is the case with everyone else, we have seen a notable increase in our expenses in recent years. And I would respectfully request that you consider increasing your annual contribution to the OHPP to help us ensure the success of our program for your licensees. I would be happy to discuss this further with you at your convenience.

Again, thank you for your ongoing support of the OHPP.

Sincerely,

A handwritten signature in black ink that reads "J. Andy Sullivan, MD". The signature is written in a cursive style.

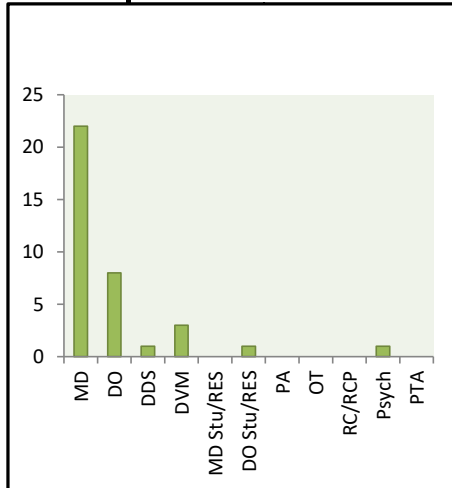
J. Andy Sullivan, MD
OHPP President
AS/th



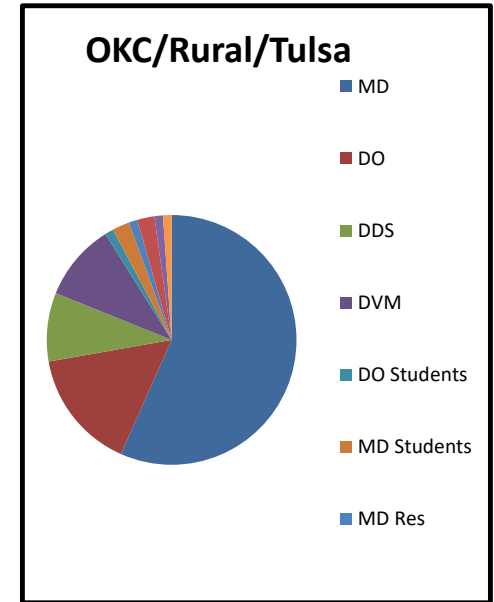
2nd Quarter 2021 OHPP Program Results

Active OHPP Contracts

Soberlink Breakdown	
MD	22
DO	8
DDS	1
DVM	3
MD Stu/RES	
DO Stu/RES	1
PA	
OT	
RC/RCP	
Psych	1
PTA	
Total Soberlink	36



Classification	OKC/Rural	Tulsa	Total
MD	39	12	51
DO	7	7	14
DDS	6	2	8
DVM	4	5	9
DO Students		1	1
MD Students	1	1	2
MD Res		1	1
DO Res	1	1	2
Occupational Therapist			0
PA	1		1
Physical Therapist			0
Psychologist	1		1
Respiratory Care Practitioner			0
Total	60	30	90



Caduceus Meetings : 6 Locations

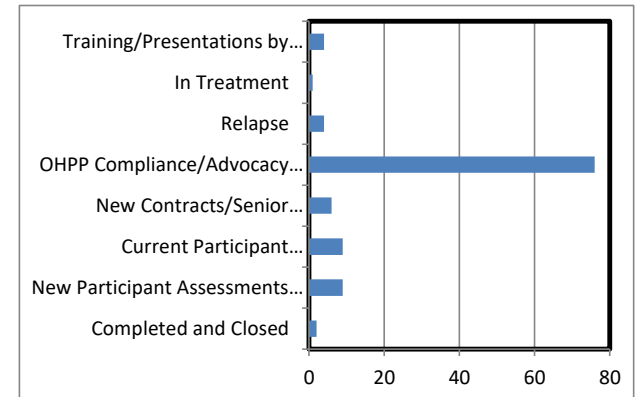
Oklahoma City - Monday
 Tulsa - Thursday
 Norman/Noble - Thursday

- Teleconferencing Groups: 2

Sexual Addictons/Boundaries - Wednesday
 Caduceus for rural participants - Monday
 Enid- Tuesday

Quarter Breakdown

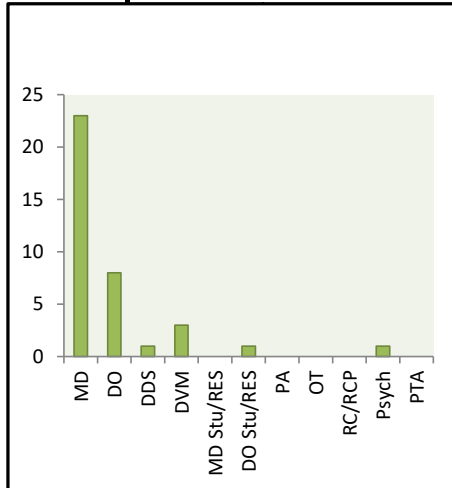
Completed and Closed	2
New Participant Assessments at OHPP Office	9
Current Participant Assessments at OHPP Office and Phone	9
New Contracts/Senior Monitoring	6
OHPP Compliance/Advocacy Letters	76
Relapse	4
In Treatment	1
Training/Presentations by Directors/Program Manager	4



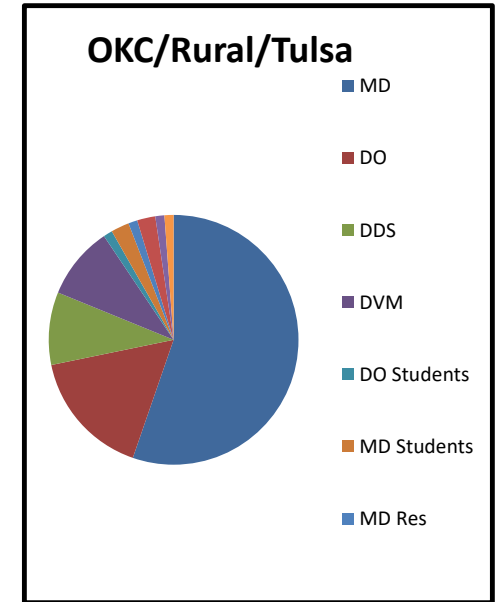
3rd Quarter 2021 OHPP Program Results

Active OHPP Contracts

Soberlink Breakdown	
MD	23
DO	8
DDS	1
DVM	3
MD Stu/RES	
DO Stu/RES	1
PA	
OT	
RC/RCP	
Psych	1
PTA	
Total Soberlink	37



Classification	OKC/Rural	Tulsa	Total
MD	35	12	47
DO	7	7	14
DDS	6	2	8
DVM	4	4	8
DO Students		1	1
MD Students	1	1	2
MD Res		1	1
DO Res	1	1	2
Occupational Therapist			0
PA	1		1
Physical Therapist			0
Psychologist	1		1
Respiratory Care Practitioner			0
Total	56	29	85



Caduceus Meetings : 6 Locations

Oklahoma City - Monday

Tulsa - Thursday

Norman/Noble - Thursday

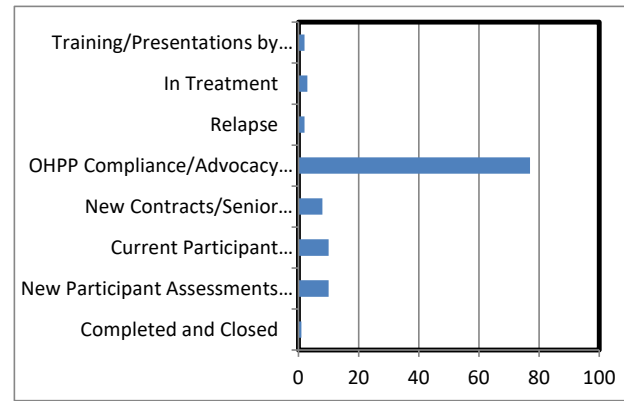
- Teleconferencing Groups: 2

Sexual Addictons/Boundaries - Wednesday

Caduceus for rural participants - Monday

Enid- Tuesday

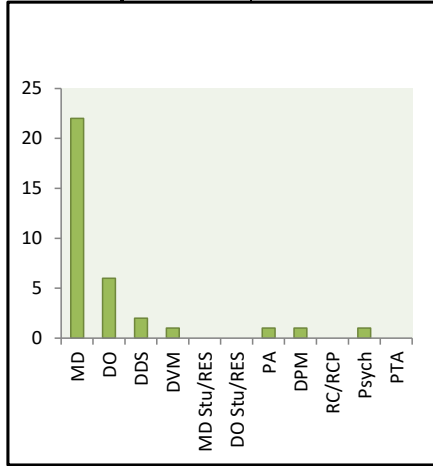
Quarter Breakdown	
Completed and Closed	1
New Participant Assessments at OHPP Office	10
Current Participant Assessments at OHPP Office and Phone	10
New Contracts/Senior Monitoring	8
OHPP Compliance/Advocacy Letters	77
Relapse	2
In Treatment	3
Training/Presentations by Directors/Program Manager	2



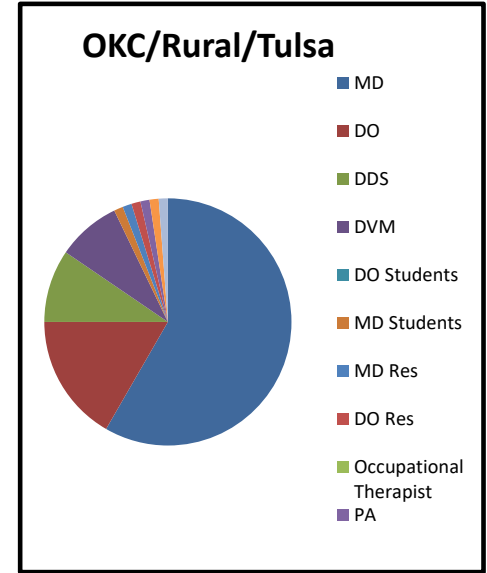
4th Quarter 2021 OHPP Program Results

Active OHPP Contracts

Soberlink Breakdown	
MD	22
DO	6
DDS	2
DVM	1
MD Stu/RES	
DO Stu/RES	
PA	1
DPM	1
RC/RCP	
Psych	1
PTA	
Total Soberlink	34



Classification	OKC/Rural	Tulsa	Total
MD	35	14	49
DO	10	4	14
DDS	6	2	8
DVM	4	3	7
DO Students			0
MD Students	1		1
MD Res		1	1
DO Res		1	1
Occupational Therapist			0
PA	1		1
Physical Therapist			0
Psychologist	1		1
Podiatrist	1		1
Total	59	25	84



Caduceus Meetings : 3 Locations

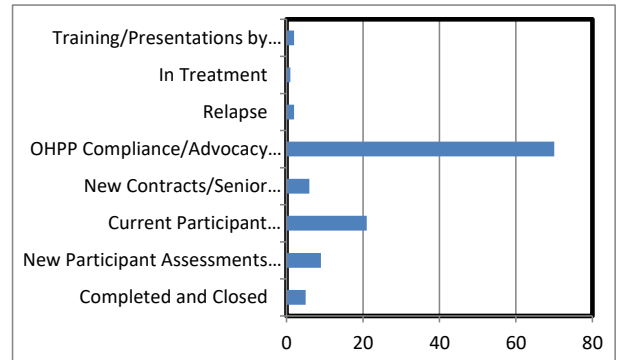
- Oklahoma City - Monday
- Tulsa - Thursday
- Norman/Noble - Thursday

- Teleconferencing Groups: 4

- Caducues - Wednesday
- Sexual Addicitons/Boundaries - Wednesday
- Caduceus for rural participants - Monday
- Enid- Tuesday

Quarter Breakdown

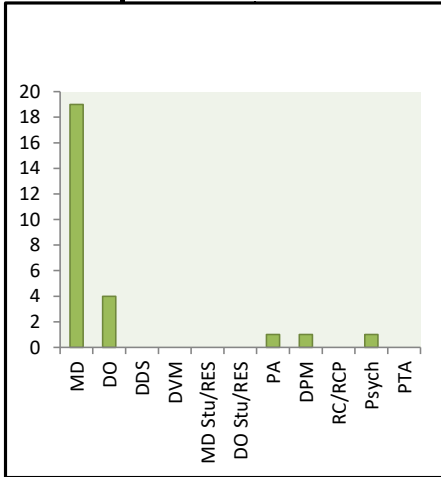
Completed and Closed	5
New Participant Assessments at OHPP Office	9
Current Participant Assessments at OHPP Office and Phone	21
New Contracts/Senior Monitoring	6
OHPP Compliance/Advocacy Letters	70
Relapse	2
In Treatment	1
Training/Presentations by Directors/Program Manager	2



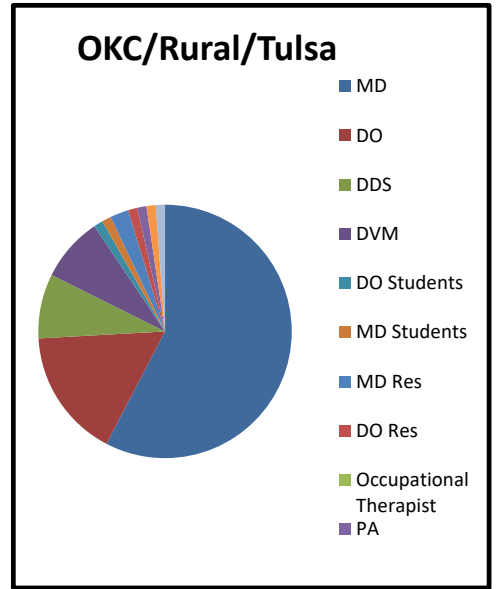
1st QTR 2022 OHPP Program Results

Active OHPP Contracts

Soberlink Breakdown	
MD	19
DO	4
DDS	
DVM	
MD Stu/RES	
DO Stu/RES	
PA	1
DPM	1
RC/RCP	
Psych	1
PTA	
Total Soberlink	26



Classification	OKC/Rural	Tulsa	Total
MD	41	8	49
DO	6	8	14
DDS	6	1	7
DVM	4	3	7
DO Students		1	1
MD Students	1		1
MD Res	1	1	2
DO Res		1	1
Occupational Therapist			0
PA	1		1
Physical Therapist			0
Psychologist	1		1
Podiatrist	1		1
Total	62	23	85



Caduceus Meetings : 3 Locations

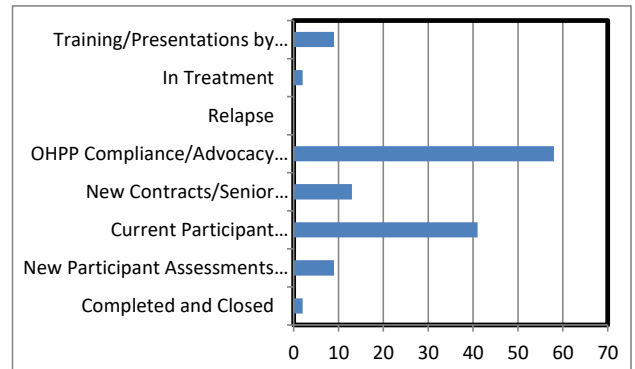
- Oklahoma City - Monday
- Tulsa - Thursday
- Norman/Noble - Thursday

- Teleconferencing Groups: 4

- Caducues - Wednesday
- Sexual Addicitons/Boundaries - Wednesday
- Caduceus for rural participants - Monday
- Enid- Tuesday

Quarter Breakdown

Completed and Closed	2
New Participant Assessments at OHPP Office	9
Current Participant Assessments at OHPP Office and Phone	41
New Contracts/Senior Monitoring	13
OHPP Compliance/Advocacy Letters	58
Relapse	
In Treatment	2
Training/Presentations by Directors/Program Manager	9



EXECUTIVE SESSION

OLD BUSINESS

NEW BUSINESS

PUBLIC COMMENT

ADJOURNMENT