

OKLAHOMA STATE BOARD OF OSTEOPATHIC EXAMINERS

Quarterly Board Meeting
Thursday, March 16, 2023, 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.)

TEAMS CALL INFORMATION – PASSCODE IS REQUIRED

Join Teams Meeting on Computer or Mobile App:
[Click here to join the meeting](#)

Meeting ID: 222 987 852 429
Passcode: xQwvHr

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AGENDA

Presiding: Bret Langerman, D.O., President

- | | | |
|--|--------------------------|--------------|
| 1. ROLL CALL TO ESTABLISH QUORUM | 9:00 a.m. | |
| 2. APPROVAL OF PAST MINUTES
Special Quarterly Meeting of 12-8-2022 | | p. 6 |
| 3. PROBATION, MONITORING, AND HEARING DOCKET
{Executive Session may be called – 25 O.S. § 307(B)(8)} | 9:00 a.m. | |
| Baracker, Lisa, D.O., # 7574
Case No. 2021-223 (RZ)
Monitoring Report Hearing | Kaylee Davis-Maddy, J.D. | p. 20 |
| Davis, Dustin, D.O., # 7059
Case No. 2020-072 (RZ)
Probationary Report Hearing | | p. 37 |
| Knight, Wilson G., # 5244
Case No. 2020-088 (JM)
Probationary Report Hearing | Kari Hawthorne, J.D. | p. 44 |

	Robison, Melvin, D.O., # 2832		p. 73
	Case No. 0814-096 (RZ)		
	Probationary Report Hearing		
	Stephens, Linh, D.O., # 5127		p. 98
	Case No. 2023-011 (RZ)		
	Hearing		
	Thomas, Jeremy, D.O., # 4495	James Connor, J.D.	p. 106
	Case No. 1017-128 (RZ)		
	Probationary Report Hearing		
4.	LICENSURE & RENEWAL HEARING DOCKET	1:00 p.m.	p. 136
	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 or Renewal – Appearing</u>		
	Chan, Chris, D.O. – Applicant		
	Duroy, Jennifer, D.O. – Applicant		
5.	RATIFICATION OF SURRENDERED LICENSES		
	{Executive Session may be called – 25 O.S. § 307 (B)}		
6.	RATIFICATION OF APPROVED LICENSES		p. 146
	{Executive Session may be called – 25 O.S. § 307(B)}		
7.	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. 150
	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. 155
	-Daniel Gamino, J.D., Board General Counsel:		
	{Executive Session may be called – 25 O.S. § 307(B)}		

1. Proposed Executive Session with General Counsel concerning a pending investigation of staff pursuant to legal authority of 25 O.S. 2021, §307(B)(1) and (4)

-John Kuhn, M.D., Oklahoma Health Professionals Program:

{Executive Session may be called – 25 O.S. § 307(B)}

8. **DISCUSSION AND POSSIBLE APPOINTMENT TO RADIOLOGY ASSISTANT ADVISORY COMMITTEE AND PHYSICIAN ASSISTANT COMMITTEE** p. 159
9. **MENTAL HEALTH** p. 162
Katie Templeton, J.D., Board Member
Michael T. Leake Jr., J.D., Executive Director
10. **CONTINUING MEDICAL EDUCATION PRESENTATION**
Alison LaBeouf, J.D., Executive Director
Audrey Hendricks, Deputy Director
11. **FSMB SPEX PRESENTATION**
David Johnson, Chief Assessment Officer
12. **KSTAR PRESENTATION**
Stephen Walling, M.D.
13. **HEALTH INFORMATION EXCHANGE / OKSHINE**
14. **DISCUSSION AND POSSIBLE ACTION REGARDING LEGAL FEES**
{Executive Session may be called – 25 O.S. § 307(B)}
15. **OLD BUSINESS**
{Executive Session may be called – 25 O.S. § 307(B)}
16. **NEW BUSINESS**
{Executive Session may be called – 25 O.S. § 307(B)}
17. **PUBLIC COMMENT**
(Limited to five minutes per person absent Board majority vote to extend time)
18. **ADJOURNMENT** p. 169

ROLL CALL

APPROVAL OF PAST MINUTES

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

DATE OF MEETING December 8, 2022

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

MEMBERS PRESENT Dennis Carter, D.O.
Chelsey Gilbertson, D.O.
Duane Koehler, D.O.
Bret Langerman, D.O.
C. Michael Ogle, D.O.
Catherine Taylor, J.D.
Katie Templeton, J.D.
LeRoy Young, D.O.

MEMBERS ABSENT

ALSO PRESENT In-Person Attendees:
Christi Aquino, *Board of Osteopathic Examiners*
Gary Augter, D.O.
Lisa Baracker, D.O.
Colin Bumann, D.O.
Paul Cheng, M.D., *OHPP*
W. Edward Clymer, D.O.
Kim Contreras, *Board of Osteopathic Examiners*
Kaylee Davis-Maddy, J.D.
Kelsey Devinney, *Board of Osteopathic Examiners*
John Dill
Daniel Gamino, J.D., *Board General Counsel*
Warren Gotcher, J.D.
Gary Henry
Michael Jade
Thomas Kowalski
John Kuhn, M.D., *OHPP*
Michael Leake Jr., J.D., *Board of Osteopathic Examiners*
Andrew Lovell, D.O.
Behrooz Masvachi
Katelyn Mayberry, *Board of Osteopathic Examiners*
Nathan Mays, J.D.
Mary K. Mercer, D.O.
Mary Middleton
Marvin Perry
J. Patrick Quillian J.D., *Board Special Prosecutor*
Pamela Renfro
Randy Sewell, J.D., *Board of Osteopathic Examiners*

OSBOE Special Meeting, December 8, 2022

Jonathan Schulz
Libby Scott, J.D.
ST
Janis Womack, *Board of Osteopathic Examiners*
Richard Zimmer, CMBI, *Board of Osteopathic Examiners*

Teleconference Attendees:

Carisa Champion
Michael Conrad
Dustin Davis, D.O.
Lee Davis
Tiffany Hockett, *OHPP*
Alfred Husen, D.O.
Kimberly Johnson
Bernadette Miller, M.D.
Timothy Moser, D.O.
Adam Newborn, D.O.
Ed Rylander
Jeremy Thomas, D.O.
Skylar Turner, D.O.
General Public

PRESIDING: Bret Langerman, D.O., *President*

1. ROLL CALL TO ESTABLISH QUORUM

Bret Langerman, D.O., *President*, called the meeting to order at 9:00 a.m. and announced that a quorum was established.

2. WELCOMING SUSAN WINCHESTER, SECRETARY OF LICENSING AND REGULATION

Executive Director for the Board, Michael Leake Jr., announced that due to unforeseen circumstances Secretary Winchester was unable to attend the meeting. Mr. Leake thanked her for her time and service.

3. APPROVAL OF PAST MINUTES

Dr. Langerman asked the members of the Board if they had reviewed the minutes from the Special Quarterly Board Meeting of September 15, 2022. He stated his name needed to be corrected from "J.D." to "D.O." in the "Presiding" notification but asked for any other revisions, additions, or deletions.

<p>Dr. Koehler moved to approve the minutes of the September 15, 2022 Special Quarterly Board Meeting with the change of title mentioned. Ms. Templeton seconded the motion.</p>
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OSBOE Special Meeting, December 8, 2022

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

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

The motion passed.

4. PROBATION, MONITORING, AND HEARING DOCKET

Gary Augter, D.O.

Dr. Langerman called the matter of Gary Augter, D.O. to order and recognized J. Patrick Quillian, J.D., Board Prosecutor. Dr. Augter appeared in person accompanied by his counsel, Warren Gotcher, J.D. Jonathan Schulz with the Oklahoma Department of Environmental Quality also appeared in person to give testimony. The Hearing proceeded. Testimony was given and Exhibits were reviewed by both parties.

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

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

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

The motion passed.

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

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

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

The motion passed.

Dr. Carter moved that there was clear and convincing evidence to support the allegations in the Complaint.
Dr. Young seconded the motion.

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

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

The motion passed.

Ms. Templeton moved to suspend Dr. Augter's license until the satisfactory completion of the following items. Dr. Augter shall provide evidence of a formal assessment of cognitive ability at a facility approved by Board staff. Dr. Augter shall also successfully complete a course on medical record keeping, pay an administrative fee of ten thousand (10,000) dollars and pay the cost of the Board's investigation. Once these items have been completed by Dr. Augter, he may request to reappear before the Board for further consideration. Board staff was also directed to provide this information to HIPAA for investigation.
Dr. Ogle seconded the motion.

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

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

The motion passed. The Board directed staff to remove all patient identifiers from items they have in office.

Lisa Baracker, D.O.

Dr. Langerman called the matter of Lisa Baracker, D.O. to order. Dr. Baracker appeared in person to give testimony with counsel of record, Kaylee Davis-Maddy, J.D. Chief Investigator for the Board, Rick Zimmer, appeared in person and gave testimony. Dr. Baracker and Ms. Davis-Maddy asked that the Board consider granting Dr. Baracker a license by equivalency and requested approval for Dr. Baracker to take the COMVEX exam.

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

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

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

The motion passed.

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

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

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

The motion passed.

Ms. Templeton moved to grant permission for Dr. Baracker to take the COMVEX exam with the understanding that this exam does not guarantee licensure in the future.
Dr. Young seconded the motion.

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

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

The motion passed.

Colin Bumann, D.O.

Dr. Langerman called the matter of Colin Bumann, D.O. to order. Dr. Bumann appeared in person to give testimony. Chief Investigator for the Board, Rick Zimmer, appeared in person and gave testimony. The Board considered Dr. Bumann's compliance with his Board Order as well as his request to be removed from probation.

Dr. Gilbertson moved to go into Executive Session.
Ms. Templeton seconded the motion.

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

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

The motion passed.

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

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

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

The motion passed.

Ms. Templeton moved to grant Dr. Bumann's request for removal of probation with the condition that Dr. Bumann complete his contract with OHPP and that OHPP will keep the Board updated on status.
Dr. Koehler seconded the motion.

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

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

The motion passed.

W. Edward Clymer, D.O.

Dr. Langerman called the matter of W. Edward Clymer, D.O. to order and recognized J. Patrick Quillian, J.D., Board Prosecutor. Dr. Clymer appeared in person accompanied by his counsel, Nathan Mays, J.D. Former patient, ST also appeared in person to give testimony. The Hearing proceeded. Testimony was given and Exhibits were reviewed by both parties.

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

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

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

The motion passed.

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

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

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

The motion passed.

Ms. Templeton moved that there was clear and convincing evidence to support the allegations in the Complaint, with the exception of Paragraph 3 and 4 which were withdrawn.
Dr. Gilbertson seconded the motion.

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

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

The motion passed.

Ms. Templeton moved to suspend Dr. Clymer's license indefinitely. Once Dr. Clymer satisfactorily completes the following items, he may request to reappear before the Board to address his suspension. Dr. Clymer shall obtain an evaluation of his cognitive and physical condition at a facility approved by Board staff. Dr. Clymer shall obtain an evaluation of his clinical skills at a facility approved by Board staff. Dr. Clymer shall obtain an evaluation of sexual boundary issues at a facility approved by Board staff. Dr. Clymer shall release results of these evaluations to the Board for review. Dr. Clymer shall also pay the costs of the Board investigation.

Dr. Ogle seconded the motion.

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

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

The motion passed.

Dustin Davis, D.O.

Dr. Langerman called the matter of Dustin Davis, D.O., to order. Dr. Davis appeared via Teams without counsel. Paul Cheng, M.D. of OHPP appeared in person and gave testimony. Chief Investigator for the Board, Rick Zimmer appeared in person and gave testimony. The Board considered Dr. Davis' compliance with his Board Order. Dr. Davis was informed to next appear in six (6) months.

No motion was made.

Clayton Shane Howell, D.O.

It was announced that the matter of Clayton Shane Howell, D.O. had been continued until further notice.

Andrew Lovell, D.O.

Dr. Langerman called the matter of Andrew Lovell, D.O., to order. Dr. Lovell appeared in person without counsel. John Kuhn, M.D. of OHPP appeared in person and gave testimony. Chief Investigator for the Board, Rick Zimmer appeared in person and gave testimony. The Board considered Dr. Lovell's compliance with his Board Order as well as his request to be removed from probation.

Dr. Young moved to go into Executive Session.

Dr. Koehler seconded the motion.

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

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

The motion passed.

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

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

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

The motion passed.

Ms. Templeton moved to grant Dr. Lovell's request for removal of probation with the condition that Dr. Lovell complete his contract with OHPP and that OHPP will keep the Board updated on status.
Dr. Koehler seconded the motion.

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

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

The motion passed.

Mary Kathryn Mercer, D.O.

Dr. Langerman called the matter of Mary Kathryn Mercer, D.O., to order and recognized Randy Sewell, J.D. as General Counsel for Dr. Mercer's appearance. Dr. Mercer appeared in person with counsel, Libby Scott, J.D. Chief Investigator for the Board, Rick Zimmer appeared in person and gave testimony. Dr. Mercer and Ms. Scott provided an update on the status of Dr. Mercer's Board Order and informed the Board Dr. Mercer had taken the COMVEX exam.

No motion was made.

Jeremy Thomas, D.O.,

Dr. Langerman called the matter of Jeremy Thomas, D.O., to order. Dr. Thomas appeared via Teams without counsel. John Kuhn, M.D. of OHPP appeared in person and gave testimony. Chief Investigator for the Board, Rick Zimmer, also appeared in person and gave testimony. The Board considered Dr. Thomas's compliance with his Board Order. Dr. Thomas was informed to next appear in six (6) months.

No motion was made.

5. LICENSURE & RENEWAL HEARING DOCKET

Ian Huff, D.O.

Dr. Langerman called the matter of Ian Huff, D.O., to order. Dr. Avetisov appeared via Teams and gave testimony. Director of Licensing, Christi Aquino, appeared in person and gave testimony. The Board considered Dr. Huff's application for licensure, which was tabled in June 2022. The Board reviewed requested documentation regarding Dr. Huff's application.

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

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

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

The motion passed.

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

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

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

The motion passed.

Ms. Templeton moved to deny Dr. Huff's application for licensure.
Dr. Koehler seconded the motion.

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

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

The motion passed.

Adam Newborn, D.O.

Dr. Langerman called the matter of Adam Newborn, D.O., to order. Dr. Newborn appeared in person and gave testimony. Director of Licensing, Christi Aquino, appeared in person and gave testimony. The Board considered Dr. Newborn's application for Oklahoma resident training licensure.

Dr. Young moved to approve Dr. Newborn's application for resident training with the condition that Dr. Newborn provide the Board with his residency rotation evaluations. Dr. Gilbertson seconded the motion.

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

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

The motion passed.

Skylar Turner, D.O.

Dr. Langerman called the matter of Skylar Turner, D.O., to order. Dr. Turner appeared via Teams with OU-TU Internal Medicine Program Director, Bernadette Miller, M.D. and gave testimony. Director of Licensing, Christi Aquino, appeared in person and gave testimony. The Board considered Dr. Turner's application for Oklahoma licensure.

Dr. Carter moved to approve Dr. Turner's application for licensure. Ms. Templeton seconded the motion.

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

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

The motion passed.

Request for Mid-Level Exception

Alfred Husen, D.O.

Ms. Templeton moved to approve Dr. Husen's request to supervise ten (10) mid-level practitioners as requested. Dr. Koehler seconded the motion.

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

The roll call/votes were: Dr. Carter, no; Dr. Gilbertson, recuse; Dr. Koehler, yes; Dr. Langerman, recuse; Dr. Ogle, yes; Ms. Taylor, recuse; Ms. Templeton, yes; Dr. Young, no.

The motion passed.

Charles Garriott, D.O.

Ms. Templeton moved to approve Dr. Garriott's request to supervise nine (9) mid-level practitioners as requested.
Dr. Ogle seconded the motion.

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

The roll call/votes were: Dr. Carter, no; Dr. Gilbertson, recuse; Dr. Koehler, yes; Dr. Langerman, recuse; Dr. Ogle, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, no.

The motion passed.

Kevin Penwell, D.O.

Ms. Templeton moved to deny Dr. Penwell's request for additional mid-level supervision as presented.
Dr. Young seconded the motion.

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

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

The motion passed.

6. RATIFICATION OF SURRENDERED LICENSES

There were no ratification of surrendered licenses for Board review.

7. RATIFICATION OF APPROVED LICENSES

Dr. Langerman 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 Special Quarterly Board meeting of September 15, 2022.

Dr. Koehler moved to ratify all licenses issued since the September 15, 2022 Board meeting.
Ms. Templeton seconded the motion.

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

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

The motion passed.

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

1. Mr. Leake informed the Board that the financial documents were in the materials for review. He informed the Board that he may discuss funds for mental health peer assistance and new furniture soon.
2. Mr. Leake informed the Board that there had been no new E-Prescribing waiver requests since the September 15, 2022 meeting.
3. Mr. Leake stated the Top Twenty Prescribers list was up on Box for the Board to review. The staff provided the Board with the physician's specialty in the data provided.
4. Mr. Leake announced that the requested visual representations of the investigative statistics for the Board are up for review.
5. Mr. Leake stated the licensing department numbers were in the Board Materials for review.
6. Mr. Leake asked the necessary qualifications of a presenter on Proper Prescribing lectures. The Board suggested staff ask the Oklahoma Osteopathic Association to make a presentation on CME at the March 2023 meeting.
7. Mr. Leake introduced the Board and staff members to new Board Investigator Elizabeth Fullbright.

9. OLD BUSINESS

No old business was discussed.

10. NEW BUSINESS

No new business was discussed.

11. PUBLIC COMMENT

No public comment was made.

12. ADJOURNMENT

The meeting was adjourned by consensus at 5:00 pm.

PROBATION,
MONITORING,
& HEARING
DOCKET

LISA
BARACKER,
D.O.

7574

KAYLEE DAVIS-
MADDY, J.D.



Oklahoma State Board of Osteopathic Examiners

BOARD MEMBERS

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C. MICHAEL OGLE, D.O.
TULSA

DENNIS J. CARTER, D.O.
POTEAU

CHELSEY D. GILBERTSON, D.O.
EDMOND

February 21, 2023

VIA EMAIL [REDACTED]
AND U.S. MAIL

Lisa Baracker, D.O. (#7574)
[REDACTED]
[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 **March 16, 2023**. **All such appearances for this docket are set for 9:00 a.m.** The Hearing Docket will be held at the Board's Office, 4848 N. Lincoln Blvd., Ste. 100, Oklahoma City, Oklahoma.

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

Michael T. Leake Jr., J.D.

MTL/kc

CC: VIA Email kmaddy@dnda.com
AND U.S. MAIL

Ms. Kaylee P. Davis-Maddy, J.D.
Doerner Saunders Daniel & Anderson
210 Park Avenue
Suite 1200
Oklahoma City, OK 73102
(405) 319-3513
(405) 319-3524

OSBOE HISTORY SHEET

Lisa Baracker, D.O.

Family Practice

Okla. Lic Number: 7574

Case Number: 2021-223 (RZ)

Status: Licensed with Conditions

TOTAL COSTS AND FINES:

- X Monthly Administrative Fee: \$100/month – stay as of 1/1/2023

1-11-2022 INTERIM 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

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

- X 2 year term of conditions on license
- X 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
- X Complete a Professional Communications Certification course, such as Crucial Conversations, or equivalent as approved by the Board.
- X 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

7-12-2022 INTERIM ORDER

- X Hearing was continued to the September 15, 2022 Special Board meeting to provide an opportunity to obtain legal counsel

7-12-2022 SECOND INTERIM ORDER WITH TERMS AND CONDITIONS

- X Terms of Order Granting License with Terms and Conditions to remain in effect unless otherwise specified
 - Dr. Baracker is permitted to take the COMVEX examination, and may request to

OSBOE HISTORY SHEET

- reappear once in receipt of the results to provide them to the Board
- X The Board agrees to stay the monthly fees for the time being while Dr. Baracker searches for a residency and obtains employment, and will resume at a later time, at which point Dr. Baracker agrees to pay any accrued fees

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

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

Case No. 2021-223

RECEIVED/FILED

DEC 15 2022

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

**SECOND INTERIM ORDER 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 December 8, 2022. Lisa Baracker, D.O. ("Dr. Baracker") appeared in person and with counsel, Kaylee Davis-Maddy, J.D. The Board's Chief Investigator, Richard Zimmer, also appeared and gave sworn testimony.

This Second Interim 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 Second Interim Order with Terms and Conditions.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Board that Dr. Baracker's license to practice osteopathic medicine remains in effect and is subject to the following terms and conditions:

1. That Dr. Baracker's Interim Order from the June 2022 Board Meeting shall remain in effect unless specifically modified by this Second Interim Order.
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. Dr. Baracker is permitted to take the COMVEX examination to provide the Board with information regarding her competency and knowledge of osteopathic medicine. The results of which in no way guarantee that restrictions on her

license will be removed or prevent further Board inquiry or investigation.

4. Following receipt of the results of the examination, Dr. Baracker may request to appear at the board's next regularly scheduled meeting.
5. That Dr. Baracker is assessed an ongoing monthly Administrative Maintenance fee of one hundred dollars (\$100), due on the 1st of each month. The Board has agreed to stay accruing monthly fees for the time being due to the current financial burden while Dr. Baracker searches for an ACGME residency and obtains employment. The monthly fees will resume at a later time once Dr. Barackcer has obtained employment, at which point Dr. Baracker agrees to pay any fees that have accrued.
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 completes the Compliance Information Request Form within ten (10) days of signing this Order. (Exhibit A, Compliance Information Request Form).
11. That Dr. Baracker completes the Monthly Supervision Self-Report by the tenth (10th) day of each month. (Exhibit B, Monthly Supervision Self-Report).

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 December 2022.



Bret Langerman, D.O.
Board President
State Board of Osteopathic Examiners

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

RECEIVED/FILED

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

Petitioners,

v.

LISA BARACKER, D.O., Osteopathic
Medicine License No. 7574,

Respondent.

JUL 12 2022

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

Case No. 2021-223 (JM)

INTERIM ORDER

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a special meeting of the Board on June 16, 2022. Lisa Baracker, D.O. ("Dr. Baracker") Dr. Baracker presented in person and without counsel.

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, when informed Dr. Baracker's counsel would unexpectedly not be appearing, enters this Interim Order as set out below.

ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Board that, for good cause shown, Dr. Baracker's hearing is continued to the September 15, 2022, Special Board Meeting to provide an opportunity for Dr. Baracker to obtain legal counsel. The Board's previous Order from the March 2022 Board Meeting shall remain in effect.

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

IT IS SO ORDERED this 12th day of July 2022.



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

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: _____

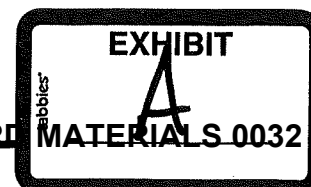
CELL PHONE: _____

BUSINESS TELEPHONE: _____

EMAIL ADDRESS: _____

OTHER STATES LICENSED IN: _____

HOSPITAL PRIVILEGES: _____



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? _____

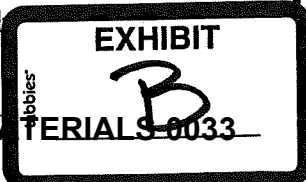
- 8.) If any medications were prescribed for your use, what were the medications, the quantities, and dosage. _____

- 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 Q1 BOARD MATERIALS 0033



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:

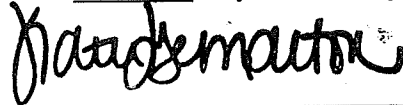
1. In order to protect the public, Dr. Baracker shall undergo an assessment determined by Board Staff to review the issues raised at the December 9, 2021 Board Meeting, specifically to include a review of past employment and post-graduate training.
2. In order to protect the public, Dr. Baracker shall 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

BRET S. LANGERMAN, D.O.
PRESIDENT
MUSTANG

CATHERINE C. TAYLOR, J.D.
VICE PRESIDENT
TULSA

DUANE G. KOEHLER, D.O.
SECRETARY-TREASURER
VINITA

KATIE L. TEMPLETON, J.D.
OKLAHOMA CITY

LEROY E. YOUNG, D.O.
OKLAHOMA CITY

C. MICHAEL OGLE, D.O.
TULSA

DENNIS J. CARTER, D.O.
POTEAU

CHELSEY D. GILBERTSON, D.O.
EDMOND

February 21, 2023

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 **March 16, 2023. All such appearances for this docket are set for 9:00 a.m.** The Hearing Docket will be held at the Board's Office, 4848 N. Lincoln Blvd., Ste. 100, Oklahoma City, Oklahoma.

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

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 (RZ)

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

March 6th, 2023

Richard Zimmer, CMBI
Chief Investigator
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 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, logs and compliant with Caduceus Attendance.

Dr. Davis underwent an evaluation with Dr. Julio Rojas in June 2022 and Dr. Rojas recommended that Dr. Davis continue with OHPP during the duration of his contract. 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

WILSON G.
KNIGHT, D.O.

5244

KARI HAWTHORNE, J.D.



Oklahoma State Board of Osteopathic Examiners

KATIE L. TEMPLETON, J.D.
OKLAHOMA CITY

BRET S. LANGERMAN, D.O.
PRESIDENT
MUSTANG

LEROY E. YOUNG, D.O.
OKLAHOMA CITY

BOARD MEMBERS
CATHERINE C. TAYLOR, J.D.
VICE PRESIDENT
TULSA

C. MICHAEL OGLE, D.O.
TULSA

DUANE G. KOEHLER, D.O.
SECRETARY-TREASURER
VINITA

DENNIS J. CARTER, D.O.
POTEAU

CHELSEY D. GILBERTSON, D.O.
EDMOND

February 21, 2023

VIA EMAIL [REDACTED]
AND U.S. MAIL

Wilson G. Knight II, D.O. (#5244)
[REDACTED]
[REDACTED]

Re: Notice of Hearing re OSBOE v. Wilson G.
Knight II, D.O. (No. OSBOE-2020-088)

Dear Dr. Knight II:

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 **March 16, 2023**. **All such appearances for this docket are set for 9:00 a.m.** The Hearing Docket will be held at the Board's Office, 4848 N. Lincoln Blvd., Ste. 100, Oklahoma City, Oklahoma.

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


Michael T. Leake Jr., J.D.

MTL/kc

CC: VIA Email khawthorne@johnsonhanan.com
AND U.S. MAIL

Ms.Kari A. Hawthorne, J.D.
Johnson Hanan Vosler Hawthorne & Snider
9801 N. Broadway Extension
Oklahoma City, OK 73114
(405) 232-6100
(405) 232-6105

OSBOE HISTORY SHEET

Wilson G. Knight II, D.O.

Family Practice/Sports Medicine

Okla. Lic Number: 5244

Case Number: 2020-88 (RZ)

Status: Probation with Conditions

TOTAL COSTS AND FINES:

- Costs: \$2,740.00 **PAID IN FULL 8/2/2022**
- Monthly Probationary Fee \$100/month

9-29-2020 ORDER CONTINUING HEARING

- X Hearing continued to regularly scheduled Board meeting 12-10-2020 to provide opportunity to obtain and appear with legal counsel
- X File an Answer to the Complaint by 10-29-2020

10-11-2021 INTERIM ORDER WITH CONDITIONS

- X Dr. Knight's Oklahoma practice shall be limited to virtual/telemedicine only
- X Undergo an evaluation by Julio Rojas, Ph.D., or another Board-approved evaluator
- X Sign any and all authorizations necessary to release the findings to the Board
- X Re-appear before the Board for review following the receipt of the requested documentation and information

1-13-2022 ORDER OF PROBATION WITH CONDITIONS

- X All previous restrictions on Dr. Knight's license are **REMOVED**
- X Probation 3 years
- X No restrictions on recommending medical marijuana to Oklahoma patients
- X Comply with following recommendations from Dr. Beaman evaluation:
 - X Shall not be alone with female patients for the duration of probationary period
 - X Shall not communicate with patients for non-business means; all communication with patients should be documented in the respective patient's chart
 - X Board shall communicate with Dr. Knight's clinic every 6 months to ensure there are no problems, complaints, or concerns
 - X The Board shall have zero tolerance for future boundary violations
 - Regular education on HIPPA and Therapeutic Boundaries
- X Continue in good standing with OHPP, following all terms and conditions of contract

OSBOE HISTORY SHEET

- X Continue his current mental health regimen as deemed necessary by his current providers with reports made available to the Board Staff upon request
- X Pay recovery costs of \$2,740.00 by 1-13-2023
- X Monthly Probationary Fee \$100/month due by the 1st of each month
- X Bear financial costs of any expenses incurred from this Order
- X Have regular contact with Board Investigator John Mobley
- X Sign and complete all authorizations to release reports, documents, etc directly to the Board

4-15-2022 MODIFIED ORDER OF PROBATION WITH CONDITIONS

- X Language modification of Dr. Beaman evaluation recommendation: may treat female patients with a chaperone present; may not be alone with female patients for the duration of probationary period
- X All other terms and conditions from 1-13-2022 Probation Order remain in place

9-21-2022 ORDER TABLING REQUEST

- Dr. Knight's oral request to supervise mid-level providers is tabled until Dr. Knight has a specific plan regarding the supervision he intends to do



OKLAHOMA HEALTH PROFESSIONALS PROGRAM

March 6, 2023

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

Regarding: Wilson Knight, DO

This letter is in reference to Wilson Knight, DO. Dr. Knight made first contact with OHPP on January 25th, 2022, and signed a contract with the Oklahoma Health Professionals Program (OHPP) on March 14th, 2022. He is required to attend therapy/psychiatry, weekly boundaries meetings, submit a quarterly worksite monitoring report. He attends regularly scheduled therapy/psychiatry sessions and attends the required Boundaries meetings. Dr. Knight is schedule for Quarterly PETH tests. All Peth have been negative. Dr. Knight is very communicative regarding any process updates, information needed or received, etc. Dr. Knight is currently compliant with all his contract requirements. OHPP is happy to advocate for Dr. Knight.

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

STATE OF OKLAHOMA, ex rel.)
OKLAHOMA STATE BOARD OF)
OSTEOPATHIC EXAMINERS,)
)
Petitioner,)
)
v.)
)
WILSON G. KNIGHT II, D.O.,)
Osteopathic Medical License No.)
5244,)
)
Respondent.)

SEP 21 2022

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

OSBOE-2020-088 (RZ)

ORDER TABLING REQUEST

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a Special Meeting of the Board on September 15, 2022, in Tulsa, Oklahoma. Wilson G. Knight II, D.O. ("Dr. Knight"), appears at the hearing on this date in person and gave sworn testimony. Dr. Knight appeared 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.*

After reviewing Dr. Knight's previous Orders, his compliance with his previous Orders, a letter from Jason Beaman, D.O., and Dr. Knight's oral request to supervise mid-level providers, the Board enters this Order Tabling Request ("Order"). Future consideration of this request may occur when Dr. Knight has a specific plan to supervise mid-level providers.

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

IT IS HEREBY ORDERED AND EFFECTIVE this 21 day of September 2022.



Bret S. Langerman, D.O.
Board President
State Board of Osteopathic Examiners

IN AND BEFORE THE STATE BOARD OF OSTEOPATHIC EXAMINERS 15 2022
STATE OF OKLAHOMA

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

STATE OF OKLAHOMA, ex rel.)
OKLAHOMA STATE BOARD OF)
OSTEOPATHIC EXAMINERS,)
)
Petitioner,)
)
v.)
)
WILSON G. KNIGHT II, D.O.,)
Osteopathic Medical License No.)
5244,)
)
Respondent.)

Case No. 2020-088 (JM)

MODIFIED ORDER OF PROBATION WITH 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. Wilson G. Knight II, D.O., Okla. Lic. No. 5244 ("Dr. Knight") appeared in person and with counsel, Kari Hawthorne. The Board's Special Investigator, John Mobley, 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.*

The Board, after reviewing Dr. Knight's compliance with his previous Board Order entered on December 9, 2021, wherein conditions were placed on Dr. Knight's Oklahoma Osteopathic medical license, and the doctor's request for language modifying (3.)(a.) of his Order of Probation with Conditions, amended the previous Order by modifying the conditions as set forth below.

ORDER

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

- 1. All restrictions on Dr. Knight's license to practice as an osteopathic surgeon and physician in the State of Oklahoma are removed except as set forth herein.
- 2. That Dr. Knight's license, number 5244 remains under a three (3) year term of


PROBATION imposed on December 9, 2021. Said probation may be extended, continued, or reduced at the discretion of the Board.

3. That Dr. Knight comply with all conditions set forth in the report of the evaluation done by Jason Beaman, D.O.
 - a. Dr. Knight may treat female patients with a chaperone present. Dr. Knight shall not be alone with female patients for the duration of the probationary period.
 - b. Dr. Knight shall not communicate with patients from non-business means (including but not limited to social media, personal cell phone, texting, etc.). Any and all communication shall be documented in patient's chart.
 - c. The Board shall conduct periodic (every six months) conversation with his clinic to ensure there are no problems, complaints, or concerns.
 - d. The Board shall have zero tolerance for future boundary violations.
 - e. Dr. Knight shall have regular education on HIPPA and Therapeutic Boundaries.
4. That Dr. Knight continue in good standing with the Oklahoma Health Professional Program ("OHPP"), following all terms and conditions of the contract.
5. That Dr. Knight shall continue his current mental health regiment.
6. Dr. Knight is to pay the costs and investigation charges for this case in the amount of TWO THOUSAND SEVEN HUNDRED FORTY DOLLARS (\$2,740.00). If necessary, payment arrangements may be made with Board Staff.
7. That Dr. Knight is assessed an ongoing monthly Administrative Maintenance fee of one hundred dollars (\$100) due by the first day of each month. Dr. Knight's first monthly fee payment is due on February 1, 2022, and continues monthly during the pendency of his probation.
8. That Dr. Knight shall bear the financial costs of any expenses incurred from this Order.
9. That Dr. Knight maintain regular contact with his Board Investigator, John Mobley.

10. That Dr. Knight shall ensure all authorizations are signed and completed to release all reports, documents, etc., directly to the Board.
11. Board Staff shall have oversight of this Order on behalf of the Board, and the authority to direct Dr. Knight to appear and provide all documents relevant to any appearance.
12. That Dr. Knight is required to notify the Board within fourteen (14) days of any changes to his residential or practice address.
13. That Dr. Knight is required to notify the Board within fourteen (14) days of any changes to his cell phone number.
14. Any violation of this Order may result in further discipline of Dr. Knight's license to practice osteopathic medicine in the State of Oklahoma.
15. In the event Dr. Knight leaves the state of Oklahoma to practice medicine in another jurisdiction, 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. 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 15th day of April 2022.


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

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

Ms. Kari A. Hawthorne
Johnson Hanan Vosler Hawthorne & Snider
9801 N. Broadway Extension
Oklahoma City, OK 73114
405/232-6100
405/232-6105 (Facsimile)
khawthorne@johnsonhanan.com
Attorney for Respondent,
Wilson G. Knight II, D.O.

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

RECEIVED/FILED

STATE OF OKLAHOMA, ex rel.)
OKLAHOMA STATE BOARD OF)
OSTEOPATHIC EXAMINERS,)
)
Petitioner,)
)
v.)
)
WILSON G. KNIGHT II, D.O.,)
Osteopathic Medical License No.)
5244,)
)
Respondent.)

JAN 13 2022

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

Case No. 2020-088 (JM)

ORDER OF PROBATION 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 December 9, 2021. Wilson G. Knight II, D.O., Okla. Lic. No. 5244 ("Dr. Knight") presented with counsel, Kari Hawthorne. The Board's Special Investigator, John Mobley, 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, hearing testimony, 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. Knight is the holder of a license to practice osteopathic medicine in the State of Oklahoma, license number 5244.
2. On August 24, 2020, the Board filed a Complaint against Dr. Knight relating to alleged violations of the Act. Proper notice under the Act of all hearings related to this Complaint and subsequent Orders was provided to Dr. Knight.
3. A formal hearing was held before the Board on this Complaint on September 16, 2021, at which Dr. Knight appeared with counsel Kari Hawthorne and evidence was presented to the Board.

ORDER OF PROBATION WITH CONDITIONS
Wilson G. Knight II, D.O. (#5244)
Case No. 2020-088
Page 1 of 4

4. After the close of evidence at the Hearing and after hearing the argument of counsel, the Board found by clear and convincing evidence that Dr. Knight had violated the Act, specifically at Tit. 59 O.S. 637(A)(2)(f) and (A)(6).
5. The Board's ruling at the Hearing was reduced to writing in an Interim Order with Conditions dated October 11, 2021 (the "Interim Order").
6. A subsequent hearing was held on December 9, 2021, to determine Dr. Knight's compliance with the Interim Order. Dr. Knight was present at said hearing with his attorney Kari Hawthorne. The Board heard testimony from Board Investigator John Mobley and Dr. Knight and reviewed documentation provided by Dr. Knight.
7. After hearing all the evidence and argument of counsel, the Board ordered that Dr. Knight be allowed to maintain his license to practice osteopathic medicine under the conditions and limitations provided herein.

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. Dr. Knight is in violation of the provisions of the Oklahoma Osteopathic Medicine Act, including specifically, 59 O.S. §§ 637(A)(2)(f) & (A)(6).
3. Having found a violation, the Act permits the Board to impose any sanction against Dr. Knight's license to practice osteopathic medicine that is authorized under the Act. Tit. 59 O.S. 637 and 637.1, and the Rules for the Board, 510 OAC § 1-1-1 *et. seq.*

ORDER

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

1. All previous restrictions imposed by the Board on Dr. Knight's license to practice as an osteopathic surgeon and physician in the State of Oklahoma are hereby removed.
2. That Dr. Knight's license, number 5244 is placed under a three (3) year term of **PROBATION**. Said probation may be extended, continued, or reduced at the

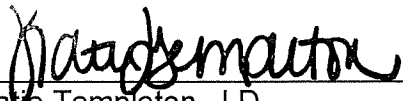
- discretion of the Board. Nothing in this Order shall be construed to prevent or prohibit Dr. Knight from recommending medical marijuana to Oklahoma patients.
3. That Dr. Knight comply with the following conditions set forth in the report of the evaluation done by Jason Beaman, D.O.:
 - a. Dr. Knight shall not be alone with female patients for the duration of the probationary period.
 - b. Dr. Knight shall not communicate with patients for non-business means (including but not limited to social media, personal cell phone, texting, etc.). Any and all communication with patients shall be documented in the respective patient's chart.
 - c. Every six (6) months, the Board shall communicate with Dr. Knight's clinic to ensure there are no problems, complaints, or concerns.
 - d. The Board shall have zero tolerance for future boundary violations.
 - e. Dr. Knight shall have regular education on HIPPA and Therapeutic Boundaries.
 4. That Dr. Knight continue in good standing with the Oklahoma Health Professional Program ("OHPP"), following all terms and conditions of the contract.
 5. That Dr. Knight shall continue his current mental health regimen as deemed necessary by his current providers with reports made available to the Board Staff upon request.
 6. Dr. Knight shall pay the costs and investigation charges for this case in the amount of TWO THOUSAND SEVEN HUNDRED FORTY DOLLARS (\$2,740.00). 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.
 7. That Dr. Knight is assessed an ongoing monthly Administrative Maintenance fee of one hundred dollars (\$100) due by the first (1st) day of each month. Dr. Knight's first monthly fee payment is due on February 1, 2022 and continues monthly during the pendency of his probation.
 8. That Dr. Knight shall bear the financial costs of any expenses incurred from this Order.
 9. That Dr. Knight maintain regular contact with his Board Investigator, John Mobley.
 10. That Dr. Knight shall ensure all authorizations to release all reports, documents, etc., directly to the Board are signed and completed.
 11. Board Staff shall have oversight of this Order on behalf of the Board, and the authority to direct Dr. Knight to appear before the Board and provide any documentation

deemed relevant by the Board.

12. That Dr. Knight is required to notify the Board within fourteen (14) days of any changes to his residential or practice address.
13. That Dr. Knight is required to notify the Board within fourteen (14) days of any changes to his cell phone number.
14. Any violation of this Order may result in further discipline of Dr. Knight's license to practice osteopathic medicine in the State of Oklahoma.
15. In the event Dr. Knight leaves the state of Oklahoma to practice medicine in another jurisdiction, 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 SO ORDERED AND EFFECTIVE this 13 day of January 2022.



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

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

Ms. Kari A. Hawthorne
Johnson Hanan Vosler Hawthorne & Snider
9801 N. Broadway Extension
Oklahoma City, OK 73114
405/232-6100
405/232-6105 (Facsimile)
khawthorne@johnsonhanan.com

Attorney for Respondent,
Wilson G. Knight II, D.O.

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. 2020-088 (JM)

v.)

WILSON G. KNIGHT II, D.O.,)
Osteopathic Medical License No.)
5244,)

Respondent.)

INTERIM ORDER 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. Wilson G. Knight II, D.O., Okla. Lic. No. 5244 ("Dr. Knight") presented with counsel, Kari Hawthorne. The Board's Special Investigator, John Mobley, 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, hearing testimony, and being fully advised, enters this Interim Order with Conditions, as set forth in the Order below.

ORDER

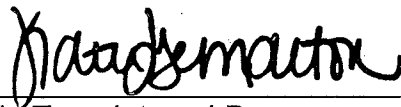
IT IS THEREFORE ORDERED by the Board that Dr. Knight's license to practice osteopathic medicine in the State of Oklahoma is subject to the following terms and conditions:

1. In order to protect the public, Dr. Knight's Oklahoma practice shall be limited to virtual/telemedicine only.
2. In order to protect the public, Dr. Knight shall undergo evaluation by Julio Rojas, Ph.D., or another Board-approved evaluator.
3. In order to protect the public, Dr. Knight shall sign any and all authorizations necessary to release the findings of the evaluation directly to the Board.

4. Dr. Knight 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. Knight's evaluation and history.
5. Following receipt of the requested documentation and information, Dr. Knight will be scheduled to appear before the Board for review of all documents and for any other issues raised by Dr. Knight's evaluation 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, and any violation of this Order may result in further discipline of Dr. Knight'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. 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**

Ms. Kari A. Hawthorne
Johnson Hanan Vosler Hawthorne & Snider
9801 N. Broadway Extension
Oklahoma City, OK 73114
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405/232-6105 (Facsimile)
khawthorne@johnsonhanan.com

Attorney for Respondent,
Wilson G. Knight II, D.O.

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

RECEIVED/FILED

FEB 12 2021

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

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

Petitioners,)

Case No. 2020-88

v.)

WILSON GREGORY KNIGHT II, D.O.)
Osteopathic Medicine License No. 5244)

Respondent.)

**WILSON GREGORY KNIGHT II, D.O.'S
ANSWER TO PETITIONER'S COMPLAINT**

COMES NOW Wilson Gregory Knight II, D.O. ("Dr. Knight"), by and through his attorneys, and submits the following Answer to Petitioner's Complaint. At the outset, Dr. Knight notes the complaint was filed on August 24, 2020. Subsequently the Oklahoma State Board of Osteopathic Examiners continued Dr. Knight's hearing which is currently scheduled for June 17, 2021. The Board originally ordered Dr. Knight to file an Answer to the Complaint at issue within thirty (30) days. However, Dr. Knight was subsequently authorized to file his Answer by February 12, 2021.

Dr. Knight denies each allegation contained in said Complaint except those allegations which are expressly admitted herein. More specifically, Dr. Knight answers Petitioner's allegations as follows:

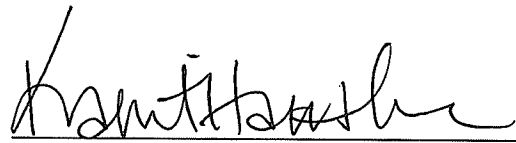
1. Regarding Paragraph No. 1 of the Complaint, Dr. Knight admits that he has held the osteopathic medicine license number 5244 in the state of Oklahoma since 2012. Dr.

Knight also admits that he has held an osteopathic medicine license in Nevada since 2017. Dr. Knight denies any remaining allegations.

2. Regarding Paragraph No. 2 of the Complaint, Dr. Knight denies that he is in violation of the Oklahoma Osteopathic Medicine Act. Dr. Knight admits that his practice was limited by the State of Nevada, however, Dr. Knight denies he committed any unprofessional conduct relating to patient care. Dr. Knight denies any remaining allegations.
3. Regarding Paragraph No. 3 of the Complaint, Dr. Knight admits that he entered into a Settlement Agreement on May 13, 2020 with the Nevada State Board of Osteopathic Medicine. Dr. Knight denies any remaining allegations.
4. Regarding Paragraph No. 4 of the Complaint, Dr. Knight admits that the Agreed Order from Nevada includes the language cited in the Complaint but denies that he acted improperly. Dr. Knight denies any remaining allegations.
5. Regarding Paragraph No. 5 of the Complaint, Dr. Knight denies that this allegation is contained in Paragraph No. 2 of the Agreed Order's "Pertinent Facts" section.
6. Regarding Paragraph No. 6 of the Complaint, Dr. Knight denies that this language is contained in Paragraph No. 2 of the Agreed Order's "Acknowledgement and Applicable Law" section.
7. Regarding Paragraph No. 7 of the Complaint, Dr. Knight admits he wrote a letter to the board denying the factual allegations in the Nevada Agreed Order and that he did not discuss the validity of the Agreed Order. Dr. Knight denies any remaining allegations.

8. Regarding Paragraph No. 8 of the Complaint, Dr. Knight admits the Agreed Order from Nevada includes these perimeters on his Nevada license. Dr. Knight denies any remaining allegations.
9. Regarding Paragraph No. 9 of the Complaint, Dr. Knight denies the allegations contained therein as worded.

Respectfully Submitted,



KARI A. HAWTHORNE, OBA # 21211
ANTHONY C. WINTER, OBA # 32148
JOHNSON HANAN VOSLER
HAWTHORNE & SNIDER
9801 N. Broadway Extension
Oklahoma City, OK 73114
Telephone: (405) 232-6100
Facsimile: (405) 232-6105
E-Mail: khawthorne@johnsonhanan.com
E-Mail: awinter@johnsonhanan.com
Attorneys for Wilson G. Knight II, D.O.

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing was mailed via certified mail on the 12th day of February 2021 to the following:

J. Patrick Quillian
Phillips, Coventon, Quillian & Banner PLLC
1900 Northwest Expressway, Suite 601
Oklahoma City, Oklahoma 73118
Phone: (405) 418-8888
Facsimile: (405) 260-9573
jpatrickquillianpc@gmail.com
Special Prosecutor for Petitioner

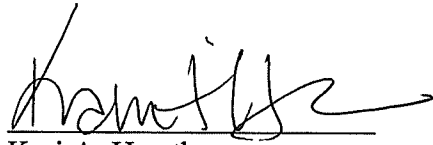
Michael T. Leake Jr.
4848 North Lincoln Boulevard, Suite 100
Oklahoma City, OK 73105

Phone: (405) 528-8625

Facsimile: (405) 557-0653

MLEake@osboe.ok.gov

*Executive Director Oklahoma State
Board of Osteopathic Examiners*

A handwritten signature in black ink, appearing to read "Kari A. Hawthorne", written over a horizontal line.

Kari A. Hawthorne

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

RECEIVED/FILED

STATE OF OKLAHOMA, ex rel.,)
STATE BOARD OF OSTEOPATHIC)
EXAMINERS,)
)
Petitioners,)
)
v.)
)
WILSON KNIGHT II, D.O., Osteopathic)
Medicine License No. 5244,)
)
Respondent.)

SEP 29 2020

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

Case No. 2020-88 (JM)

ORDER CONTINUING HEARING

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a regular meeting of the Board on September 17, 2020. Wilson Knight II, D.O. ("Dr. Knight") appears at the hearing on this date via Zoom due to the on-going Covid-19 Pandemic. Dr. Knight requested a continuance to this hearing to provide him an opportunity to obtain and appear with legal counsel.

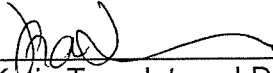
This Order is issued pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 620 *et. seq.* and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et. seq.*

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Board that, for good cause shown, Dr. Knight's hearing is continued to the December 10, 2020, Board Meeting to provide an opportunity for Dr. Knight to obtain and appear with legal counsel.

IT IS FURTHER HEREBY ORDERED, ADJUDGED AND DECREED by the Board that Dr. Knight file an Answer to the Complaint at issue within thirty (30) days of the signing of this Order.

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

IT IS SO ORDERED this 29th day of September 2020.



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

RECEIVED/FILED

AUG 24 2020

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel.,)	
STATE BOARD OF OSTEOPATHIC)	
EXAMINERS,)	
)	
Petitioners,)	
)	
v.)	Case No. 2020-88
)	
WILSON GREGORY KNIGHT II, D.O.)	
Osteopathic Medicine License No. 5244.)	
)	
Respondent.)	

COMPLAINT

The Prosecutor for the State Board of Osteopathic Examiners (the "Board"), J. Patrick Quillian, states as follows:

1. Dr. Wilson Gregory Knight II, D.O., is the holder of a license to practice as an osteopathic physician in the State of Oklahoma, license number 5244. Dr. Knight received his license as an osteopathic physician in Oklahoma from the Board in 2012. Dr. Knight has also held a license to practice osteopathic medicine in Nevada since 2017.

2. Dr. Knight is in violation of the Oklahoma Osteopathic Medicine Act, Tit. 59 O.S. § 637(A)(2)(f) and (A)(6), which state:

A. The State Board of Osteopathic Examiners may ... suspend or revoke any license issued or reinstated by the Board upon proof that the applicant or holder of such a license:

...

2. Has engaged in the use or employment of ... 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:

...

f. acting in a manner which results in final disciplinary action by any professional society or association or hospital or medical staff of such hospital in this or any other state, whether agreed to voluntarily or not, if the action was in any way related to professional conduct ... or any other violation of the Oklahoma Osteopathic Medicine Act[.]

...

6. Has had the authority to engage in the activities regulated by the Board ... restricted, modified or limited ... by any other state or federal agency whether or not voluntarily agreed to by the physician....”

3. On May 13, 2020, the Nevada State Board of Osteopathic Medicine (the “Nevada Board”) and Dr. Knight, represented by Douglas C. Crawford, Esq., entered into a Settlement Agreement and Order (the “Agreed Order”) in lieu of a formal complaint being filed.

4. The Agreed Order’s “Pertinent Facts” section, at paragraph 2, states the following:

In the course of his examination, Dr. Knight touched patient R on her abdomen and attempted to touch her breasts. The touching made patient R uncomfortable. During their encounter, Dr. Knight also asked Patient R if she was married, if she wanted to go on a date with him, if she liked kissing, and if she wanted to kiss him there in the examination room. Dr. Knight also found Patient R’s cellular telephone number from her patient intake documents and texted her the message: “When can I meet up with you.” Patient R created a diversion to allow her to flee the examination room, and then she reported her concerns with Dr. Knight’s conduct in the examination room to staff at Care Now Urgent Care. After leaving this facility, Dr. Knight called Patient R on her cellular telephone, which call Patient R declined to answer.

5. The Agreed Order also states in paragraph 2 of the “Pertinent Facts” Section that Dr. Knight was untruthful on his 2019 application for license renewal with the Nevada Board.

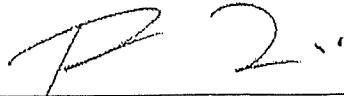
6. The Agreed Order’s “Acknowledgements and Applicable Law” section states at paragraph 2 that “[f]or the purposes of resolving this matter only and for no other purpose, Dr. Knight admits that the facts contained in the “Pertinent Facts” section constitute violations” of various Nevada statutes, regulations and administrative code.

7. In a letter to the Board dated August 17, 2020, Dr. Knight denied a majority of the factual allegations cited in the Agreed Order but did not deny the validity of the Agreed Order.

8. The Agreed Order placed Dr. Knight’s license to practice osteopathic medicine in Nevada on probation for two (2) years and requires him, *inter alia*, to complete the Physician Assessment and Clinical Education Program and prohibits him from being alone with female patients for the duration of the probationary period.

9. The Agreed Order constitutes a final disciplinary action against Dr. Knight’s license to practice osteopathic medicine in Nevada and limits his ability to engage in activities regulated by the Board, and thus constitutes a violation of the Oklahoma Osteopathic Medicine Act, as cited herein.

Respectfully submitted,



J. Patrick Quillian, OBA#20811

Phillips, Coventon, Quillian,
& Banner PLLC
1900 Northwest Expressway, Suite 601
Oklahoma City, Oklahoma 73118
Phone (405) 418-8888
Facsimile (405) 260-9573
jpatrickquillianpc@gmail.com
SPECIAL PROSECUTOR FOR
PETITIONER

RECEIVED/FILED

AUG 24 2020

STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

STATE OF OKLAHOMA, ex rel.)	
OKLAHOMA STATE BOARD OF)	
OSTEOPATHIC EXAMINERS,)	
)	
Petitioners,)	
)	
v.)	No. 2020-88
)	
WILSON GREGORY KNIGHT II, D.O.,)	
Osteopathic Medical License No. 5244.)	
)	
Respondent.)	

CITATION AND NOTICE OF HEARING

TO: WILSON GREGORY KNIGHT II, D.O. [Licensee]

YOU ARE GIVEN NOTICE that pursuant to the Oklahoma Osteopathic Medicine Act [Act], Title 59 O.S. 1991, § 620, *et seq*, and the Oklahoma Administrative Procedures Act Title 75 O.S. 1991 § 301, *et seq*, you are commanded to appear at a hearing held before the Oklahoma State Board of Osteopathic Examiners [Board], at the OSBOE Board Room, 4848 North Lincoln Blvd., Suite 100, Oklahoma City, Oklahoma 73105, on **September 17, 2020**. All hearings will begin at **9:00 o'clock a.m.**

NATURE OF THE HEARING

The purpose of the hearing will be to show cause why your license to practice osteopathic medicine in the State of Oklahoma, issued by the Board, should be suspended or revoked, or any other disciplinary action imposed by the Board as authorized by law for violation of the Act as specified in the Complaint containing the matters asserted and entered against you. A copy of said Complaint is included with this Citation and Notice and incorporated herein by reference. Licensee is the holder of the above-listed osteopathic medical license issued by the Board authorizing Licensee to practice as an

osteopathic physician in the State of Oklahoma. At the time of this Complaint, his license is in good standing.

LEGAL AUTHORITY AND JURISDICTION FOR HEARING

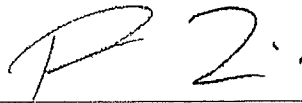
The hearing is ordered pursuant to the authority and jurisdiction conferred upon the Board by Title 59 O.S. 1991 § 637 and 631.1 and will be conducted according to the procedures set forth in the Oklahoma Administrative Procedures Act, Title 75 O.S. § 301, *et seq.*, and the Rules and Regulations of the Board.

RIGHTS OF RESPONDENT

Be advised of your rights, which are as follows:

1. To be represented by legal counsel at this hearing;
2. To respond and present evidence on any relevant issue;
3. To subpoena witnesses and documentary evidence through the Board; and
4. Such other rights as are conferred by the Board and Board Rules and Regulations.

Respectfully submitted,



J. Patrick Quillian, OBA #20811
Phillips, Coventon, Quillian, & Banner, PLLC
1900 N.W. Expressway, Suite 601
Oklahoma City, OK 73118
Phone (405) 418-8888
Facsimile (405) 260-9573
jpatrickquillianpc@gmail.com
SPECIAL PROSECUTOR FOR PETITIONER

MELVIN
ROBISON, D.O.
2832



Oklahoma State Board of Osteopathic Examiners

BOARD MEMBERS

BRET S. LANGERMAN, D.O.
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TULSA

DENNIS J. CARTER, D.O.
POTEAU

CHELSEY D. GILBERTSON, D.O.
EDMOND

February 21, 2023

VIA EMAIL [REDACTED]
AND U.S. MAIL

Melvin Robison, D.O. (#2832)
[REDACTED]
[REDACTED]

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 **March 16, 2023**. **All such appearances for this docket are set for 9:00 a.m.** The Hearing Docket will be held at the Board's Office, 4848 N. Lincoln Blvd., Ste. 100, Oklahoma City, Oklahoma.

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


Michael T. Leake Jr., J.D.

MTL/kc

CC: VIA U.S. MAIL

Krahl Goerke Myer and Behenna
Re: Melvin Robison, D.O.
210 Park Avenue
Suite 3030
Oklahoma City, OK 73102
(405) 232-3800

OSBOE HISTORY SHEET

Melvin L. Robison, D.O.

General Practice

Okla. Lic Number: 2832

Case Number: 0814-096 (RZ)

Status: Outstanding Affidavit of Surrender

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

10-25-22 RESOLUTION OF FEDERAL CRIMINAL TRIAL

- X Charged 164 counts of illegal distribution of CDS (CR 18-163 D), pled guilty to count #44 and count #112, Sentenced:
 - o 54 months in prison
 - o 3 years supervised probation upon release

OSBOE HISTORY SHEET

- Restitution \$112,384.61 – to be paid immediately
- Fine \$13,362 – to be paid immediately
- \$200 special assessment
- Remanded into custody immediately
- X Pled guilty to 1 count of Medicare Fraud (CR21-219 – investigated in the Southern District of Florida), Sentenced:
 - 24 months in prison
 - 3 years of supervised probation upon release
 - Forfeiture of \$202,597.18 – due immediately
 - \$100 special assessment – due immediately
 - No fine

1-4-2023 AFFIDAVIT OF SURRENDER PROVIDED

- RZ provided an affidavit of surrender to Mrs. Robison following the resolution of his federal criminal trial

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.

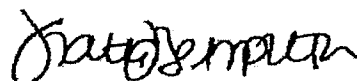
This Order is issued pursuant to the Oklahoma Osteopathic Medicine Act, 59 O.S. § 620 *et. seq.* and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et. Sec.*

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.

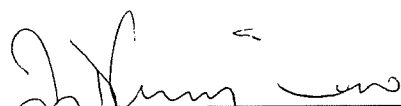
11. In the event Dr. Robison leaves the state of Oklahoma to practice medicine in another jurisdiction, the terms and conditions of this Order shall be tolled.

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.)	
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.

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. Patient BC complained that despite repeated requests to be seen by Dr. Robison, he never saw her in the two years she was "his" patient. During her treatment at RFC, BC received prescriptions for CDS, including Schedule II drugs.

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

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.


13. 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.

14. 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

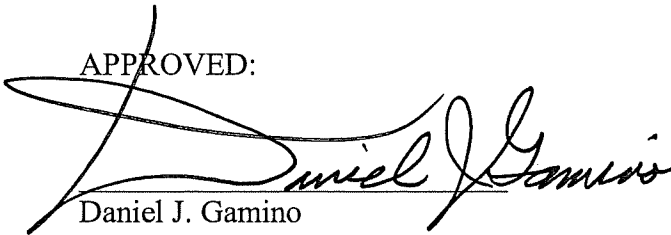
Tel. (405) 343-4877

Fax (866) 794-5742

pattyehigh@gmail.com

SPECIAL PROSECUTOR FOR
THE PETITIONER

APPROVED:



Daniel J. Gamino

ATTORNEY FOR THE BOARD

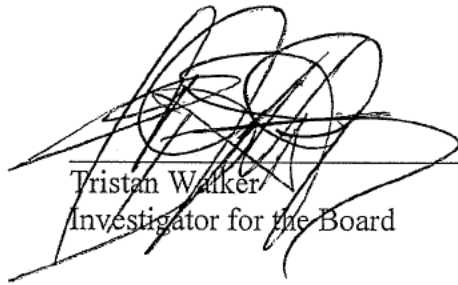
Date: 23 day of February, 2016

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
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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., [REDACTED] Oklahoma [REDACTED].


Tristan Walker
Investigator for the Board

05760

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PS Form 3811, August 2006 See Back for Instructions

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SENDER COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p><input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p><input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.</p> <p><input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Melvin L. Robison, D.O.</p> <div style="background-color: black; width: 100px; height: 20px; margin: 5px 0;"></div> <div style="background-color: black; width: 100px; height: 20px; margin: 5px 0;"></div> </div>	<p>A. Signature</p> <p><i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <div style="background-color: black; width: 100%; height: 30px; margin-top: 5px;"></div> <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
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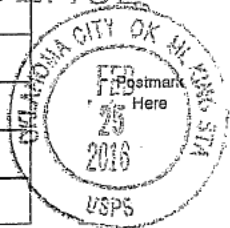
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Postage	\$
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Sent To **Melvin L. Robison, D.O.**

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or PO Box
City, State

**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

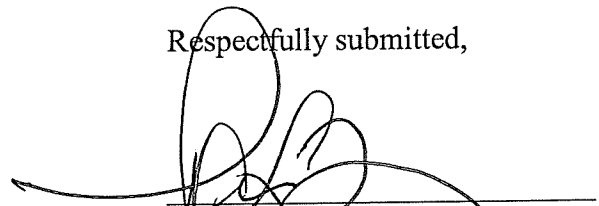
the probable cause of death as “Acute Oxycodone Toxicity.” Board Investigators also obtained information from the Elk City Police Department. The police report documents a medication inventory at the scene of MO’s death. The prescription medication bottles found next to MO’s body were for Clonazepam, 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

LINH
STEPHENS,
D.O.
5127

**STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA**

RECEIVED/FILED

FEB 22 2023

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

STATE OF OKLAHOMA, ex rel.,)
STATE BOARD OF OSTEOPATHIC)
EXAMINERS,)
)
)
Petitioners,)
)
)
v.)
)
)
LINH STEPHENS, D.O.)
Osteopathic Medicine License No. 5127,)
)
)
Respondent.)

Case No. 2023-011

CITATION AND NOTICE OF HEARING

TO: LINH STEPHENS, D.O. License No. 5127

YOU ARE GIVEN NOTICE that pursuant to the Oklahoma Osteopathic Medicine Act (Act), Title 59 O.S. 1991, §620, *et seq*, and the Oklahoma Administrative Procedures Act Title 75 O.S. 1991, §301, *et seq*, you are commanded to appear at a hearing held before the Oklahoma State Board of Osteopathic Examiners, (Board), at the OSBOE Board Room, 4848 North Lincoln Blvd., Suite 100, Oklahoma City, Oklahoma 73105, on March 16, 2023. All hearings will begin at **9:00 o'clock a.m.**

NATURE OF THE HEARING

The purpose of the hearing will be to show cause why your license to practice osteopathic medicine in the State of Oklahoma, issued by the Board, should be suspended or revoked, or any other disciplinary action imposed by the Board as authorized by law for violation of the Act as specified in the Complaint containing the matters asserted and entered against you. A copy of said Complaint is included with this Citation and Notice

and incorporated herein by reference. Licensee is the holder of the above-listed osteopathic medical license issued by the Board authorizing Licensee to practice as an osteopathic physician in the State of Oklahoma. At the time of this Complaint, her license is in good standing.

LEGAL AUTHORITY AND JURISDICTION FOR HEARING

The hearing is ordered pursuant to the authority and jurisdiction conferred upon the Board by Title 59 O.S. 1991, §637 and §631.1 and will be conducted according to the procedures set forth in the Oklahoma Administrative Procedures Act, Title 75 O.S. §301, *et seq*, and the Rules and Regulations of the Board.

RIGHTS OF RESPONDENT

Be advised of your rights, which are as follows:

1. To be represented by legal counsel at this hearing;
2. To respond and present evidence on any relevant issue;
3. To subpoena witnesses and documentary evidence through the Board; and
4. Such other rights as are conferred by the Board and Board Rules and Regulations.

Respectfully submitted,



J. PATRICK QUILLIAN, OBA #20811
Phillips, Coventon, Quillian, & Banner, PLLC
1900 Northwest Expressway, Suite 601
Oklahoma City, Oklahoma 73118
Phone: (405) 418-8888
Facsimile: (405) 260-9573
jpatrickquillianpc@gmail.com
SPECIAL PROSECUTOR FOR PETITIONER

STATE BOARD OF OSTEOPATHIC EXAMINERS
STATE OF OKLAHOMA

RECEIVED/FILED

FEB 22 2023

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

STATE OF OKLAHOMA, ex rel.,)
STATE BOARD OF OSTEOPATHIC)
EXAMINERS,)
)
Petitioners,)
)
v.)
)
LINH STEPHENS, D.O.)
Osteopathic Medicine License No. 5127,)
)
Respondent.)

Case No. 2023-011

COMPLAINT

The Prosecutor for the State Board of Osteopathic Examiners (the "Board"), J. Patrick Quillian, states as follows:

1. Dr. Linh Stephens, D.O., is the holder of a license to practice as an osteopathic physician in the State of Oklahoma, license number 5127.

2. Dr. Stephens is in violation of the Oklahoma Osteopathic Medicine Act, 59 O.S. 2021, §626(D) and §637(A)(7) and (A)(11) which state:

"D. Any licensee or applicant for license subject to the provisions of the Oklahoma Osteopathic Medicine Act shall be deemed to have given consent to any duly authorized employee or agent of the Board to access, enter, or inspect, the records, either on site or at the Board office, or facilities of such licensee or applicant subject to the Oklahoma Osteopathic Medicine Act. Refusal to allow such access, entry, or inspection may constitute grounds for the denial, non-renewal, suspension, or revocation of a license."

"Section 637

A. The State Board of Osteopathic Examiners may. . . . suspend or revoke any license issued or reinstated by the Board upon proof that the applicant or holder of such a license:

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

11. Has violated or refused to comply with the lawful order of the Board.”

3. On February 2, 2023, Dr. Stephens agreed to meet with Board Executive Director Michael Leake and Investigator Richard Zimmer at her office at 2:00 p.m. on February 7, 2023.

4. Later on February 2, 2023, Dr. Stephens declined and refused to meet with the Board Executive Director Michael Leake and the Board Investigator. Dr. Stephens’ email provided in pertinent part:

“Good afternoon,

My clinic is for my patients and you guys are all NOT my patients, and expect to address my complaints against Stephen E. Hale for practicing medicine without a license at YOUR office, which I assume you have a Tulsa branch somewhere in (the) Tandy Building (OSU) downtown! Any disclosures and possible conflict of interests with the person I was complaining about?

I have other priorities and to-dos, and I don’t want to have a meeting with just TWO lawyers and then having to repeat myself the same story to the rest of the medical board. I do NOT want you or anyone to speak about my complaints to the WHOLE medical board (including doctors, and citizens who are not doctors nor lawyers) on my behalf because I want to do it MYSELF to the whole medical board, so no one can twist my words or put words into my mouth.” (Capitals in the original).

5. Later still on February 2, 2023, Mr. Leake responded to Dr. Stephens by email, to-wit:

“I am the Executive Director of the DO Board--the DO Board oversees your license to practice osteopathic medicine in Oklahoma and is also the office where you filed your complaint on the GAL attorney alleging the unauthorized practice of medicine. Are you asking to appear before the DO Board to talk to the whole Board about your complaint on Mr. Hale? The DO Board does have osteopathic doctors on it. If so, I’m happy to put you on the agenda. Lastly, I would still like to meet with you to discuss your arrest from last year. I am happy to arrange a meeting following your court hearing on February 14th in Tulsa County. Of course, you are welcome to bring a lawyer to this meeting. Many thanks.

Michael Leake”

6. Dr. Stephens did not reschedule the informal meeting requested by Mr. Leake and Investigator Zimmer.

7. On February 14, 2023, Dr. Stephens sent the below email to Mr. Leake and Mr. Zimmer, to-wit:

“I do want to have a meeting in front of the whole medical board (with doctors, and normal civilians as well) NEXT WEEK. For emphasis, with everyone on the medical board (not just lawyers like yourselves who are friends with Stephen E. Hale per your undertone underhanded threats of retaliation against my medical license in email as attached below despite I’m the whistleblower); my criminal defense lawyer will be there also, where I am a victim reporting crime committed by Stephen E. Hale (a lawyer like yourself) practicing medicine WITHOUT any medical license, and THEN & THERE while in front of the whole board (with doctors and civilians non-lawyers) feel free to ask about false retaliation protective order against me (80 pounds Asian American female) by a 220 plus pounds angry white male (same race and gender as you both). This has not been adjudicated at all nor charged at all followed by my abusive ex-husband’s perjurious false VPO--I wasn’t served properly with VPO either.

My criminal defense attorney and I do NOT agree to meet you two biased lawyers outside of whole medical board, as you have NEVER denied IN WRITING your conflict of interest with Stephen E. Hale and his law firm--who practice medicine without a license by declaring multiple mothers in Oklahoma “crazy” or other made up diagnosis with required treatment of their children to never to see their mothers again, while the truly mentally-ill father who was already-diagnosed by numerous licensed doctors was

MISDIAGNOSED (again without a medical license) by Stephen E. Hale as 'not mentally ill, no need for psyche eval, very fit father and recommended child(ren) taken away from currently safe, fit mother, while bypassing material safe/fit grandparents or extended safe relatives and close family friends, but given directly to abusive plus/minus mentally-ill fathers to abuse the children 24/7.'

Please coordinate the schedule if my lawyer Shar, whose email is in the CC."

8. A review of records shows the following pending cases concerning Dr.

Stephens, to-wit:

Rogers County
CM-2022-157 filed 2-31-2022
Violation of VPO-arrested by Owasso PD

Rogers County
CM-2022-286 filed 5-24-2022
Violation of VPO-arrested by Owasso PD 3-26-2022
Hearing on both cases in Rogers County on 2-14-2023

Tulsa County
PO-2021-4059 pending
In OSCN record mentioned GAL (Stephen Hale) FD-15-2228
A full day scheduled for trial on PO-2021-3843, PO-2021-4059 set on 3-22-2023

List of cases Dr. Stephens has in Tulsa County:
FD-2015-2228
PO-2017-3292
PO-2021-3843
PO-2021-4059

Board Prosecutor prays that this matter be set for hearing and that Dr. Linh Stephens, D.O. appear for hearing before the Board en banc on the above referenced allegations and that the Board take any and all appropriate action based on that evidence.

Respectfully submitted,



J. PATRICK QUILLIAN, OBA #20811
Phillips, Coventon, Quillian, & Banner, PLLC
1900 Northwest Expressway, Suite 601
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Phone: (405) 418-8888
Facsimile: (405) 260-9573
jpatrickquillianpc@gmail.com
SPECIAL PROSECUTOR FOR PETITIONER

JEREMY
THOMAS, D.O.

4495

JAMES CONNOR, J.D.



Oklahoma State Board of Osteopathic Examiners

BOARD MEMBERS

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VICE PRESIDENT
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TULSA

DENNIS J. CARTER, D.O.
POTEAU

CHELSEY D. GILBERTSON, D.O.
EDMOND

February 21, 2023

VIA EMAIL [REDACTED]
AND U.S. MAIL

Jeremy Thomas, D.O. (#4495)
[REDACTED]
[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 **March 16, 2023**. **All such appearances for this docket are set for 9:00 a.m.** The Hearing Docket will be held at the Board's Office, 4848 N. Lincoln Blvd., Ste. 100, Oklahoma City, Oklahoma.

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

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
Balance as of 2/23/2023 - \$2,590
- X Monthly Administrative Fee: \$100/month
(Current as of 2/23/2023)

COMPLAINT (APPLICATION FOR EMERGENCY ORDER OF SUSPENSION):

- Splitting prescriptions with patients

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

- X Suspended pending hearing

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

- X 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 OBND 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 Q1 BOARD MATERIALS 0108

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

March 6, 2023

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. Dr. Thomas has recently been released from testing with the US Court System. Dr. Thomas has been completing monthly UDS and regular attendance at professionally facilitated monitoring meetings. Rusty Gillette, LPC released Dr. Jeremy Thomas from his therapy requirements in 2021.

All alcohol/drug screens for Dr. Thomas have been negative. He maintains consistent participation in Caduceus and recovery meetings. He is compliant with his Caduceus requirement as of the date of this letter.

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/th



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.

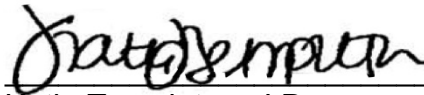
ORDER

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

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

RECEIVED/FILED

JUL 07 2020

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

Case No. 1017-128

ORDER REINSTATING LICENSE WITH 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 18, 2020. Jeremy Thomas, D.O. ("Dr. Thomas") appears at the hearing on this date via Zoom due to the on-going Covid-19 Pandemic. Dr. Thomas presents with counsel, James W. Conner, to request reinstatement of his Oklahoma osteopathic medical license. The Board's Chief Investigator, Richard Zimmer, and Merlin Kilbury, 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 the pleadings and previous Orders, hearing testimony, and being fully advised enters this Order Reinstating License with Terms of Probation as set out below.

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 (“OBNDD”) 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.



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:

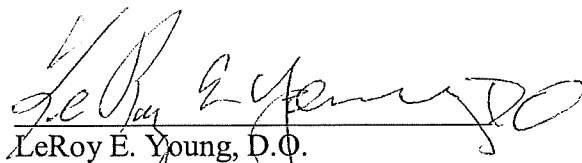
1. The license issued by the Board to Dr. Thomas to practice osteopathic medicine in the State of Oklahoma is **SUMMARILY SUSPENDED** pending further Hearing and Order of the Board. Such Hearing will be set by the Board upon written request by Dr. Thomas presented to the Board at the Board office. The 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

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

**STATE BOARD OF OSTEOPATHIC)
EXAMINERS,)
STATE OF OKLAHOMA,)**

Petitioner,)

v.)

Case No. 1017-128

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

Respondent.)

APPLICATION FOR EMERGENCY ORDER OF SUSPENSION

The Special Prosecutor for the State Board of Osteopathic Examiners [Board], Roma McElwee, files this Application against the Respondent, Jeremy David Thomas, D.O.

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 2007. Dr. Thomas is employed by the Premier Bone and Joint Specialists in Claremore. As of the date of this Emergency Application, his license is in good standing. Efforts to provide notice of this proceeding to Dr. Thomas were unsuccessful.

2. 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.

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.

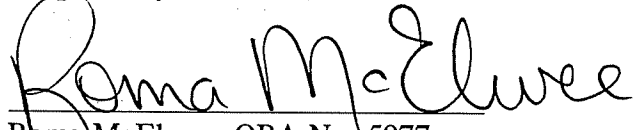
4. On October 26, 2017, Board Investigators issued subpoenas for Dr. Thomas' medical records for patients identified as splitting prescriptions with Dr. Thomas. Dr. Thomas told diversion agents that not all prescriptions written were charted in his medical records.

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

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

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

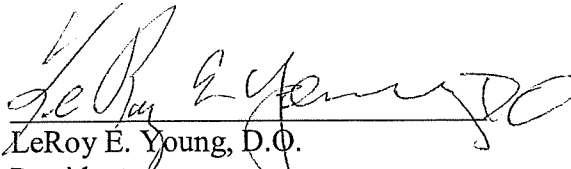
1. The license issued by the Board to Dr. Thomas to practice osteopathic medicine in the State of Oklahoma is **SUMMARILY SUSPENDED** pending further Hearing and Order of the Board. Such Hearing will be set by the Board upon written request by Dr. Thomas presented to the Board at the Board office. The 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

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

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

Case No. 1017-128

APPLICATION FOR EMERGENCY ORDER OF SUSPENSION

The Special Prosecutor for the State Board of Osteopathic Examiners [Board], Roma McElwee, files this Application against the Respondent, Jeremy David Thomas, D.O.

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 2007. Dr. Thomas is employed by the Premier Bone and Joint Specialists in Claremore. As of the date of this Emergency Application, his license is in good standing. Efforts to provide notice of this proceeding to Dr. Thomas were unsuccessful.

2. 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.

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.

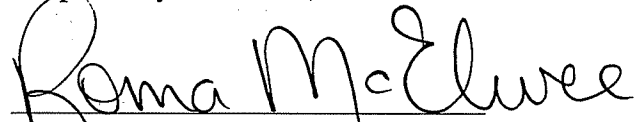
4. On October 26, 2017, Board Investigators issued subpoenas for Dr. Thomas' medical records for patients identified as splitting prescriptions with Dr. Thomas. Dr. Thomas told diversion agents that not all prescriptions written were charted in his medical records.

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**

**CHRIS CHAN,
D.O.
APPLICANT**



Oklahoma State Board of Osteopathic Examiners

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OKLAHOMA CITY

C. MICHAEL OGLE, D.O.
TULSA

DENNIS J. CARTER, D.O.
POTEAU

CHELSEY D. GILBERTSON, D.O.
EDMOND

March 1, 2023

VIA EMAIL cgchan238@gmail.com
AND U.S. MAIL

Christopher Chan, D.O.



Re: Notice of Appearance re Licensure

Dear Dr. Chan:

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 **March 16, 2023**. **All such appearances for this docket are set for 1:00 p.m.** The Licensure Hearing Docket will be held at the Board's Office, 4848 N. Lincoln Blvd., Ste. 100, Oklahoma City, Oklahoma.

Join Teams Meeting on Computer or Mobile App:

[Click here to join the meeting](#)

Meeting ID: **222 987 852 429**

Passcode: **xQwvHr**

Join on the web: [Join a Microsoft Teams Meeting by ID | Microsoft Teams](#)

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.
Executive Director
MTL/kc

JENNIFER
DUROY, D.O.
APPLICANT



Oklahoma State Board of Osteopathic Examiners

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OKLAHOMA CITY

C. MICHAEL OGLE, D.O.
TULSA

DENNIS J. CARTER, D.O.
POTEAU

CHELSEY D. GILBERTSON, D.O.
EDMOND

March 1, 2023

VIA EMAIL jennifer.duroy@gmail.com
AND U.S. MAIL

Jennifer Duroy, D.O.


Re: Notice of Appearance re Licensure

Dear Dr. Duroy:

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 **March 16, 2023**. **All such appearances for this docket are set for 1:00 p.m.** The Licensure Hearing Docket will be held at the Board's Office, 4848 N. Lincoln Blvd., Ste. 100, Oklahoma City, Oklahoma.

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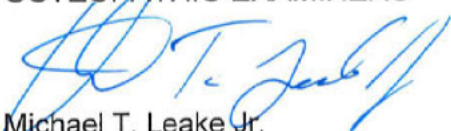
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If you are represented by counsel, a courtesy copy of this Notice has been provided to them. Please feel free to contact us if you have any questions.

Very truly yours,

OKLAHOMA STATE BOARD OF
OSTEOPATHIC EXAMINERS


Michael T. Leake Jr.
Executive Director
MTL/kc

KATHRYN
MINER,
D.O.
APPLICANT



Oklahoma State Board of Osteopathic Examiners

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C. MICHAEL OGLE, D.O.
TULSA

DENNIS J. CARTER, D.O.
POTEAU

CHELSEY D. GILBERTSON, D.O.
EDMOND

March 1, 2023

VIA EMAIL ktmalachy1998@gmail.com
AND U.S. MAIL

Kathryn Miner, D.O.



Re: Notice of Appearance re Licensure

Dear Dr. Miner:

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 **March 16, 2023**. **All such appearances for this docket are set for 1:00 p.m.** The Licensure Hearing Docket will be held at the Board's Office, 4848 N. Lincoln Blvd., Ste. 100, Oklahoma City, Oklahoma.

Join Teams Meeting on Computer or Mobile App:

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Meeting ID: **222 987 852 429**

Passcode: **xQwvHr**

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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.
Executive Director
MTL/kc

**RATIFICATION
OF
SURRENDERED
LICENSES**

**RATIFICATION
OF
APPROVED
LICENSES**

Approved Licenses Ratification List 11/30/2022 to 3/9/2023

#	Licensee/Applicant	License Number	License Category	License Status	License Type	Initial Licensure Date	License Expiry Date
1	Cathleen McGovern	7885	Osteopathic Physician and Surgeon	Active	In State	11/30/2022	6/30/2023
2	Supakunya Edmonson	7886	Osteopathic Physician and Surgeon	Active	In State	11/30/2022	6/30/2023
3	David Sarkarati	7887	Osteopathic Physician and Surgeon	Active	In State	11/30/2022	6/30/2023
4	Kristin Huntoon	7888	Osteopathic Physician and Surgeon	Active	In State	11/30/2022	6/30/2023
5	Iram Qureshi	7889	Osteopathic Physician and Surgeon	Active	In State	12/1/2022	6/30/2023
6	Wun Augustin	7890	Osteopathic Physician and Surgeon	Active	In State	12/5/2022	6/30/2023
7	Michelle Jacobs	7891	Osteopathic Physician and Surgeon	Active	In State	12/5/2022	6/30/2023
8	Erin Donaldson	7892	Osteopathic Physician and Surgeon	Active	In State	12/5/2022	6/30/2023
9	Jennifer Yorke	7893	Osteopathic Physician and Surgeon	Active	In State	12/5/2022	6/30/2023
10	Aisha Hines	7894	Osteopathic Physician and Surgeon	Active	In State	12/6/2022	6/30/2023
11	Long Hoang	7897	Osteopathic Physician and Surgeon	Active	In State	12/6/2022	6/30/2023
12	Jason Kirby	7898	Osteopathic Physician and Surgeon	Active	In State	12/6/2022	6/30/2023
13	Tishe Dalipi	7899	Osteopathic Physician and Surgeon	Active	In State	12/6/2022	6/30/2023
14	Niloufar Gharib	7900	Osteopathic Physician and Surgeon	Active	In State	12/6/2022	6/30/2023
15	Lindsay Stoops	7901	Osteopathic Physician and Surgeon	Active	Resident / Fellow	12/8/2022	6/30/2023
16	Skylar Turner	7902	Osteopathic Physician and Surgeon	Active	Resident / Fellow	12/8/2022	6/30/2023
17	Adam Newborn	0588R	Resident Training	Active	In State	12/9/2022	6/30/2023
18	Donald Lesslie	7903	Osteopathic Physician and Surgeon	Active	In State	12/9/2022	6/30/2023
19	Katherine Vosburg	7904	Osteopathic Physician and Surgeon	Active	In State	12/12/2022	6/30/2023
20	John Brown	7905	Osteopathic Physician and Surgeon	Active	In State	12/14/2022	6/30/2023
21	Steven Hulst	7906	Osteopathic Physician and Surgeon	Active	In State	12/14/2022	6/30/2023
22	Deborah Ozner	7907	Osteopathic Physician and Surgeon	Active	In State	12/14/2022	6/30/2023
23	Simon Fensterszaub	7908	Osteopathic Physician and Surgeon	Active	In State	12/28/2022	6/30/2023
24	Jason Shanker	7909	Osteopathic Physician and Surgeon	Active	In State	12/29/2022	6/30/2023
25	Jaimie Clodfelter	7910	Osteopathic Physician and Surgeon	Active	In State	12/30/2022	6/30/2023
26	Ele Wu	7911	Osteopathic Physician and Surgeon	Active	In State	1/3/2023	6/30/2023
27	Jasmine Omrani	7912	Osteopathic Physician and Surgeon	Active	In State	1/3/2023	6/30/2023
28	William Suk	7913	Osteopathic Physician and Surgeon	Active	In State	1/3/2023	6/30/2023
29	Nathaniel Zuziak	7914	Osteopathic Physician and Surgeon	Active	In State	1/5/2023	6/30/2023
30	Dalmar Mohamod	7915	Osteopathic Physician and Surgeon	Active	In State	1/5/2023	6/30/2023
31	Megan Kindred	7916	Osteopathic Physician and Surgeon	Active	In State	1/5/2023	6/30/2023
32	Luke Mosel	7917	Osteopathic Physician and Surgeon	Active	In State	1/6/2023	6/30/2023
33	Timothy Miller	7918	Osteopathic Physician and Surgeon	Active	In State	1/10/2023	6/30/2023
34	Jonathan Stuart	7919	Osteopathic Physician and Surgeon	Active	In State	1/10/2023	6/30/2023
35	Kalvin Kapoor	7920	Osteopathic Physician and Surgeon	Active	In State	1/10/2023	6/30/2023
36	Lisa Ashe	7921	Osteopathic Physician and Surgeon	Active	Out of State	1/13/2023	6/30/2023
37	Patrick Cullinan	7922	Osteopathic Physician and Surgeon	Active	In State	1/19/2023	6/30/2023

38	Douglas Kelley	7923	Osteopathic Physician and Surgeon	Active	Out of State	1/20/2023	6/30/2023
39	Matthew Linden	7924	Osteopathic Physician and Surgeon	Active	Out of State	1/20/2023	6/30/2023
40	Puja Uppal	7925	Osteopathic Physician and Surgeon	Active	Out of State	1/20/2023	6/30/2023
41	Joel Jones	7926	Osteopathic Physician and Surgeon	Active	In State	1/24/2023	6/30/2023
42	Anthony Silverio	7927	Osteopathic Physician and Surgeon	Active	Out of State	1/24/2023	6/30/2023
43	Carisa Champion	7928	Osteopathic Physician and Surgeon	Active	In State	1/27/2023	6/30/2023
44	Samir Patel	7929	Osteopathic Physician and Surgeon	Active	In State	1/30/2023	6/30/2023
45	Jacob Finkle	7930	Osteopathic Physician and Surgeon	Active	In State	1/30/2023	6/30/2023
46	James du Pont	7931	Osteopathic Physician and Surgeon	Active	In State	2/1/2023	6/30/2023
47	Cheryl Hilton	7932	Osteopathic Physician and Surgeon	Active	Out of State	2/3/2023	6/30/2023
48	Shannon Alsop	7933	Osteopathic Physician and Surgeon	Active	Out of State	2/3/2023	6/30/2023
49	Patrick Frisella	7934	Osteopathic Physician and Surgeon	Active	Out of State	2/3/2023	6/30/2023
50	John Balocki	7935	Osteopathic Physician and Surgeon	Active	Out of State	2/3/2023	6/30/2023
51	Alisha Archibeck	7936	Osteopathic Physician and Surgeon	Active	Out of State	2/3/2023	6/30/2023
52	Andrew Mlady	7937	Osteopathic Physician and Surgeon	Active	In State	2/10/2023	6/30/2023
53	Arthur Donahue	7938	Osteopathic Physician and Surgeon	Active	In State	2/10/2023	6/30/2023
54	Dalim Ki	7939	Osteopathic Physician and Surgeon	Active	In State	2/10/2023	6/30/2023
55	James Teet	7940	Osteopathic Physician and Surgeon	Active	In State	2/10/2023	6/30/2023
56	Jonathan Jansen	7941	Osteopathic Physician and Surgeon	Active	In State	2/10/2023	6/30/2023
57	Jonathan Pangia	7942	Osteopathic Physician and Surgeon	Active	In State	2/13/2023	6/30/2023
58	Allen Heeger	7943	Osteopathic Physician and Surgeon	Active	In State	2/14/2023	6/30/2023
59	Jodelle Yount	7944	Osteopathic Physician and Surgeon	Active	In State	2/16/2023	6/30/2023
60	Nathan Tillotson	4963	Osteopathic Physician and Surgeon	Active	Out of State	2/27/2023	6/30/2023
61	Kamila Seilhan	7945	Osteopathic Physician and Surgeon	Active	In State	2/27/2023	6/30/2023
62	Erin Brack	7946	Osteopathic Physician and Surgeon	Active	In State	2/27/2023	6/30/2023
63	Josiah Wagler	7947	Osteopathic Physician and Surgeon	Active	In State	3/1/2023	6/30/2023
64	Benjamin Greiner	7948	Osteopathic Physician and Surgeon	Active	In State	3/1/2023	6/30/2023
65	Jessica Shields	7949	Osteopathic Physician and Surgeon	Active	In State	3/8/2023	6/30/2023
66	Corey Brown	7950	Osteopathic Physician and Surgeon	Active	In State	3/8/2023	6/30/2023

REPORTS
AND
POSSIBLE
ACTIONS

MICHAEL T.
LEAKE JR., J.D.
EXECUTIVE
DIRECTOR



State of Oklahoma
 Summary of Receipts and Disbursements
 From Business Unit 52500 To Business Unit 52500
 For the Month of February, 2023

BUSINESS UNIT 52500
CLASS 200

Acctg Period	Revenue (Credit) Debit 4xxxxx	Expenditures (Credit) Debit 5xxxxx	Change in Liabilities (Incr) Decr 2xxxxx	Change in Receivables Incr (Decr) 1xxxxx	Net Payroll Withholdings (Credit) Debit 633xxx	Transfers In (Credit) 631100 and 631150	Transfers Out Debit 621000,621150, 631200, and 499600	Balance Or Changes In Investment (Credit) Debit 632100	Ending Cash Balance
0-Beg			(272.21)	0.00				0.00	936,355.45
1-Jul	(443,491.50)	87,253.93	(7,952.19)	0.00	0.00	0.00	0.00	0.00	1,300,545.21
2-Aug	(30,749.50)	61,191.06	8,224.40	0.00	0.00	0.00	0.00	0.00	1,261,879.25
3-Sep	(25,074.25)	109,566.70	(1,032.19)	0.00	0.00	0.00	0.00	0.00	1,178,418.99
4-Oct	(13,114.80)	58,170.12	861.19	0.00	0.00	0.00	0.00	0.00	1,132,502.48
5-Nov	(20,532.00)	53,265.46	171.00	0.00	0.00	0.00	0.00	0.00	1,099,598.02
6-Dec	(20,655.57)	67,915.20	0.00	0.00	0.00	0.00	0.00	0.00	1,052,338.39
7-Jan	(15,324.50)	71,278.08	(4,468.75)	0.00	0.00	0.00	0.00	0.00	1,000,853.56
8-Feb	(16,817.50)	87,855.02	(2,073.98)	0.00	0.00	0.00	0.00	0.00	931,890.02
Column Totals:	(585,759.62)	596,495.57	(6,270.52)	0.00	0.00	0.00	0.00		
Current Ledger Balance:			<u>(6,542.73)</u>	<u>0.00</u>					
Class/Fund Balances:								<u>0.00</u>	<u>931,890.02</u>
								Current Ledger Balance-Liabilities:	(6,542.73)
								*Budgeted Cash Balance:	925,347.29

*Should agree with Cash Balance from Allotment Budget and Cash Balance (ABC) report.



State of Oklahoma
 Summary of Receipts and Disbursements
 From Business Unit 52500 To Business Unit 52500
 For the Month of February, 2023

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BUSINESS UNIT 52500
CLASS 79901

Acctg Period	Revenue (Credit) Debit 4xxxxx	Expenditures (Credit) Debit 5xxxxx	Change in Liabilities (Incr) Decr 2xxxxx	Change in Receivables Incr (Decr) 1xxxxx	Net Payroll Withholdings (Credit) Debit 633xxx	Transfers In (Credit) 631100 and 631150	Transfers Out Debit 621000,621150, 631200, and 499600	Balance Or Changes In Investment (Credit) Debit 632100	Ending Cash Balance
0-Beg			0.00	0.00				0.00	416,484.00
1-Jul	392,827.00	305.00	0.00	0.00	0.00	0.00	0.00	0.00	23,352.00
2-Aug	(1,057.00)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	24,409.00
3-Sep	10,336.70	0.00	0.00	0.00	0.00	0.00	0.00	0.00	14,072.30
4-Oct	(7,074.70)	70.00	0.00	0.00	0.00	0.00	0.00	0.00	21,077.00
5-Nov	10,013.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11,064.00
6-Dec	(4,233.00)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	15,297.00
7-Jan	4,492.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10,805.00
8-Feb	(13,580.00)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	24,385.00
9-Mar	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	24,385.00
10-Apr	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	24,385.00
11-May	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	24,385.00
12-Jun	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	24,385.00
Column Totals:	391,724.00	375.00	0.00	0.00	0.00	0.00	0.00		
Current Ledger Balance:			<u>0.00</u>	<u>0.00</u>					
Class/Fund Balances:								<u>0.00</u>	<u>24,385.00</u>
								Current Ledger Balance-Liabilities:	0.00
								*Budgeted Cash Balance:	24,385.00

*Should agree with Cash Balance from Allotment Budget and Cash Balance (ABC) report.



State of Oklahoma
 Summary of Receipts and Disbursements
 From Business Unit 52500 To Business Unit 52500
 For the Month of February, 2023

3/3/2023
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BUSINESS UNIT 52500

CLASS

Acctg Period	Revenue (Credit) Debit 4xxxxx	Expenditures (Credit) Debit 5xxxxx	Change in Liabilities (Incr) Decr 2xxxxx	Change in Receivables Incr (Decr) 1xxxxx	Net Payroll Withholdings (Credit) Debit 633xxx	Transfers In (Credit) 631100 and 631150	Transfers Out Debit 621000,621150, 631200, and 499600	Balance Or Changes In Investment (Credit) Debit 632100	Ending Cash Balance
Column Totals:	(194,035.62)	596,870.57	(6,270.52)	0.00	0.00	0.00	0.00		
Prior Year AP BU Balance:			<u>(272.21)</u>	<u>0.00</u>					
Current AP Business Unit Balance:			<u><u>(6,542.73)</u></u>	<u><u>0.00</u></u>					
Business Unit Balances:							<u><u>0.00</u></u>	<u><u>956,275.02</u></u>	

State Bd of Osteopathic Exam
 Business Unit - 52500
 FY 2023 Operating Budget Comparison by Department and Account
 as of February 28, 2023

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Department: 1000001 General Operations

Account	Annual Budget	YTD Budget	Expenses	Encumbrance	Pre-Encumbrance	Total Exp, Enc, Pre-Enc	Annual Variance	YTD Variance	Annual %	YTD %
511 Salary Expense	523,122	348,748	314,844.70	0.00	0.00	314,844.70	208,277.30	33,903.22	60.19	90.28
512 Insur.Prem-Hlth-Life,etc	89,896	59,931	59,873.48	0.00	0.00	59,873.48	30,022.52	57.16	66.60	99.90
513 FICA-Retirement Contributi	153,553	102,369	73,466.77	0.00	0.00	73,466.77	80,086.23	28,901.79	47.84	71.77
515 Professional Services	116,178	77,452	40,692.81	90,667.19	0.00	131,360.00	-15,182.00	-53,908.16	113.07	169.60
519 Inter/Intra Agy Pmt-Pers S	1,800	1,200	110.46	1,001.54	0.00	1,112.00	688.00	88.00	61.78	92.67
521 Travel - Reimbursements	13,550	9,033	4,508.83	0.00	0.00	4,508.83	9,041.17	4,524.29	33.28	49.91
522 Travel - Agency Direct Pmt	14,900	9,933	4,892.75	746.84	0.00	5,639.59	9,260.41	4,293.53	37.85	56.78
531 Misc. Administrative Expen	34,900	23,266	6,582.37	18,171.56	0.00	24,753.93	10,146.07	-1,487.45	70.93	106.39
532 Rent Expense	27,187	18,124	15,109.64	4,736.32	0.00	19,845.96	7,341.04	-1,721.48	73.00	109.50
533 Maintenance & Repair Expen	1,000	667	8.97	360.00	0.00	368.97	631.03	297.67	36.90	55.35
534 Specialized Sup & Mat.Expe	1,300	867	720.05	2,121.67	0.00	2,841.72	-1,541.72	-1,975.08	218.59	327.90
535 Production,Safety,Security	1,500	1,000	1,901.27	0.00	0.00	1,901.27	-401.27	-901.27	126.75	190.13
536 General Operating Expenses	8,950	5,967	3,409.30	2,300.00	0.00	5,709.30	3,240.70	257.26	63.79	95.69
541 Office Furniture & Equipme	10,000	6,667	227.24	0.00	0.00	227.24	9,772.76	6,439.40	2.27	3.41
542 Library Equipment-Resource	140	93	66.00	0.00	0.00	66.00	74.00	27.28	47.14	70.75
554 Program Reimb,Litigation C	250	167	0.00	0.00	0.00	0.00	250.00	166.64	0.00	0.00
601 AFP Encumbrances	0	0	0.00	7,113.41	0.00	7,113.41	-7,113.41	-7,113.41	~	~
	998,226	665,483	526,414.64	127,218.53	0.00	653,633.17	344,592.83	11,849.39	65.48	98.22
Class Funding	Annual Budget	YTD Budget	Expenses	Encumbrance	Pre-Encumbrance	Total Exp, Enc, Pre-Enc	Annual Variance	YTD Variance	Annual %	YTD %
20000 Revolving Fund	998,226	665,483	526,414.64	127,218.53	0.00	653,633.17	344,592.83	11,849.39	65.48	98.22
	998,226	665,483	526,414.64	127,218.53	0.00	653,633.17	344,592.83	11,849.39	65.48	98.22
Totals for Division 10	998,226	665,483	526,414.64	127,218.53	0.00	653,633.17	344,592.83	11,849.39	65.48	98.22

State Bd of Osteopathic Exam
 Business Unit - 52500
 FY 2023 Operating Budget Comparison by Department and Account
 as of February 28, 2023

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Department: 8800001 ISD - Tech

Account	Annual Budget	YTD Budget	Expenses	Encumbrance	Pre-Encumbrance	Total Exp, Enc, Pre-Enc	Annual Variance	YTD Variance	Annual %	YTD %
515 Professional Services	17,597	11,731	4,766.85	5,378.85	0.00	10,145.70	7,451.30	1,585.58	57.66	86.48
531 Misc. Administrative Expen	18,559	12,373	10,018.55	6,355.45	0.00	16,374.00	2,185.00	-4,001.36	88.23	132.34
532 Rent Expense	18,368	12,245	11,565.90	1,962.61	0.00	13,528.51	4,839.49	-1,283.23	73.65	110.48
533 Maintenance & Repair Expen	600	400	1,131.36	597.64	0.00	1,729.00	-1,129.00	-1,329.00	288.17	432.25
535 Production,Safety,Security	0	0	0.00	4,663.75	0.00	4,663.75	-4,663.75	-4,663.75	~	~
536 General Operating Expenses	1,500	1,000	2,389.17	0.00	0.00	2,389.17	-889.17	-1,389.17	159.28	238.92
541 Office Furniture & Equipme	0	0	2,449.96	3,667.00	0.00	6,116.96	-6,116.96	-6,116.96	~	~
601 AFP Encumbrances	0	0	0.00	935.19	0.00	935.19	-935.19	-935.19	~	~
	56,624	37,749	32,321.79	23,560.49	0.00	55,882.28	741.72	-18,133.08	98.69	148.04
Class Funding	Annual Budget	YTD Budget	Expenses	Encumbrance	Pre-Encumbrance	Total Exp, Enc, Pre-Enc	Annual Variance	YTD Variance	Annual %	YTD %
20000 Revolving Fund	56,624	37,749	32,321.79	23,560.49	0.00	55,882.28	741.72	-18,133.08	98.69	148.04
	56,624	37,749	32,321.79	23,560.49	0.00	55,882.28	741.72	-18,133.08	98.69	148.04
Totals for Division 88	56,624	37,749	32,321.79	23,560.49	0.00	55,882.28	741.72	-18,133.08	98.69	148.04
Totals for Bus Unit 52500	1,054,850	703,232	558,736.43	150,779.02	0.00	709,515.45	345,334.55	-6,283.69	67.26	100.89

Licensing update for March 2023

Total Active licenses – 3,740

Total Number of New/Initial Applications Only (in-state and out-of-state) (\$600 fee):

- 2021: 343
- 2022: 362
- 2023: 33 submitted applications & 17 apps approved (Jan. – March)

Total Number of **In-State** ACTIVE Licenses:

- 2022: 2,403
- 2023: 2,724

Total Number of **Out-of-State** ACTIVE Licenses:

- 2021-2022: 490
- 2022-2023: 558

Total Number of **Residents & Fully Retired** ACTIVE Licenses:

- 2020-21: 293
- 2021-22: 230 – Residents & 53 – Retired
- 2022-23: 238 – Residents & 63 – Retired

Total number of all In-State & Out of State Renewals (\$225 fee):

- 2021-2022: 3,208
- 2022-2023: 3,321

Total Number of Late Renewals Only (\$150 fee):

- 2020-21: 83
- 2021-22: 99
- 2022-23: 85

Total Number of Temporary Resident Licenses Only (\$100 per year fee):

- 2021: 8
- 2022: 7
- 2023: 0

Total Number of Resident Training Licenses Only (\$120 fee):

- 2021: 75
- 2022: 85
- 2023: Estimated to be 90-105

Total Number of Special Volunteer Licenses Only (No fee):

- 2021: 4
- 2022: 6
- 2023: 6

Total Number of Interstate Medical Licensure Compact (IMLCC) Full Licenses (\$600):

- 2021: 35
- 2022: 68
- 2023: 152

DANIEL
GAMINO, J.D.
GENERAL
COUNSEL

JOHN
KUHNS, M.D.,
OHPP

DISCUSSION
AND POSSIBLE
APPOINTMENT
TO
COMMITTEES

**Radiologist Assistant Law
(Committee Appointments/DO Board)**

Title 59 O.S. § 541.2.

A. There is hereby created a Radiologist Assistant Advisory Committee within the State Board of Medical Licensure and Supervision to assist in administering the provisions of the Radiologist Assistant Licensure Act. The Committee shall consist of seven (7) members as follows:

1. One member shall be a physician appointed by the State Board of Medical Licensure and Supervision from its membership;

2. One member shall be a radiologist appointed by the State Board of Medical Licensure and Supervision from a list of qualified individuals submitted by the Oklahoma State Medical Association and who is not a member of the Board;

3. One member shall be a physician appointed by the State Board of Osteopathic Examiners from its membership;

4. One member shall be a physician appointed by the State Board of Osteopathic Examiners from a list of qualified individuals submitted by the Oklahoma Osteopathic Association and who is not a member of the State Board of Osteopathic Examiners;

5. One member shall be a radiologist appointed by the State Board of Medical Licensure and Supervision from a list of qualified individuals submitted by the Oklahoma State Radiological Society and who is not a member of the Board; and

6. Two members shall be radiologist assistants appointed by the State Board of Medical Licensure and Supervision from a list of radiologist assistants submitted by the Oklahoma State Radiological Society.

The radiologist assistant practitioner members shall have engaged in rendering radiologist assistant services to the public, teaching, or research for at least two (2) years immediately preceding their appointments. These members shall at all times be holders of valid licenses as radiologist assistants in this state, except for the members first appointed to the Committee.

B. Initial members of the Committee shall be appointed by September 1, 2008. Members of the Committee shall be appointed for terms of four (4) years. Provided, the terms of office of the members first appointed shall begin within a reasonable time frame after the effective date of this act and shall continue for the following periods:

1. Two physicians and one radiologist assistant for a period of three (3) years; and
2. Three physicians and one radiologist assistant for a period of four (4) years.

Upon the expiration of a member's term of office, the appointing authority for that member shall appoint a successor. Vacancies on the Committee shall be filled in like manner for the balance of an unexpired term. No member shall serve more than three consecutive terms. Each member shall serve until a successor is appointed and qualified.

C. Upon expiration or vacancy of the term of a member, the respective nominating authority may, as appropriate, submit to the appointing Board a list of three persons qualified to serve on the Committee to fill the expired term of their respective member. Appointments may be made from these lists by the appointing Board, and additionally lists may be provided by the respective organizations if requested by the State Board of Medical Licensure and Supervision.

D. The State Board of Medical Licensure and Supervision may remove any member from the Committee for neglect of any duty required by law, for incompetency, or for unethical or dishonorable conduct.

E. The Committee shall meet at least twice each year and shall elect biennially during odd-numbered years a chair and vice-chair from among its members. The Committee may convene at the request of the chair, or as the Committee may determine for such other meetings as may be deemed necessary.

F. A majority of the members of the Committee, including the chair and vice-chair, shall constitute a quorum at any meeting, and a majority of the required quorum shall be sufficient for the Committee to take action by vote.

G. The Committee shall advise the Board in developing policy and rules pertaining to the Radiologist Assistant Licensure Act.

H. Members of the State Board of Medical Licensure and Supervision and members of the Radiologist Assistant Advisory Committee shall be reimbursed for all actual and necessary expenses incurred while engaged in the discharge of official duties pursuant to this act in accordance with the State Travel Reimbursement Act.

Radiologist Assistant Rules (Committee Appointments/DO Board)

Oklahoma Administrative Code 435:60-1-4. Advisory Committee on Radiologist Assistants – terms of members – removal from Committee

(a) Except as provided in the Act for the initial Committee appointments, the Radiologist Assistant Advisory Committee shall consist of seven (7) members appointed as follows:

- (1) One member shall be a physician appointed by the Board from its membership;
- (2) One member shall be a radiologist appointed by the Board from a list of qualified individuals submitted by the Oklahoma State Medical Association and who is not a member of the Board;
- (3) One member shall be a physician appointed by the State Board of Osteopathic Examiners from its membership;

- (4) One member shall be a physician appointed by the State Board of Osteopathic Examiners from a list of qualified individuals submitted by the Oklahoma Osteopathic Association and who is not a member of the State Board of Osteopathic Examiners;
- (5) One member shall be a radiologist appointed by the Board from a list of qualified individuals submitted by the Oklahoma State Radiological Society and who is not a member of the Board; and
- (6) Two members shall be radiologist assistants appointed by the Board from a list of radiologist assistants submitted by the Oklahoma State Radiological Society, and shall have engaged in rendering radiologist assistant services to the public, teaching, or research for at least two (2) years immediately preceding their appointments. Except for members first appointed to the Committee, these members shall at all times be holders of valid licenses as radiologist assistants in Oklahoma.
- (b) Members of the Committee shall be appointed for terms of four (4) years, except for the initial committee members whose terms shall begin either on September 1, 2008, or the date of their appointment, whichever is later, and shall continue for the following periods:
- (1) Two physicians and one radiologist assistant for a period of three (3) years; and
 - (2) Three physicians and one radiologist assistant for a period of four (4) years.
- (c) Upon expiration of a member's term of office, the appointing authority for that member shall appoint a successor pursuant to the provisions of this section. Vacancies on the committee shall be filled in like manner for the balance of an expired term. No member shall serve more than three (3) consecutive terms. Each member shall serve until a successor is appointed and qualified.
- (d) Upon expiration or vacancy of the term of a member, the respective nominating authority may, as appropriate, submit to the State Board of Medical Licensure and Supervision or the State Board of Osteopathic Examiners, a list of three persons qualified to serve on the Committee to fill the expired term of their respective member. Appointments may be made from these lists of the appointing Board, and additional lists may be provided by the respective organizations if requested by the State Board of Medical Licensure and Supervision.
- (e) The Board may remove any member from the Committee for neglect of any duty required by law, for failure to attend at least 50% of the regularly scheduled meetings in a calendar year, for incompetency, or for unethical or dishonorable conduct.

MENTAL HEALTH

CONTINUING
MEDICAL
EDUCATION
PRESENTATION

FSMB SPEX PRESENTATION

KSTAR PRESENTATION

OLD BUSINESS

NEW BUSINESS

PUBLIC COMMENT

ADJOURNMENT