

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

STATE OF OKLAHOMA, ex rel.,)	
STATE BOARD OF OSTEOPATHIC)	
EXAMINERS,)	
)	
Petitioners,)	
)	
v.)	Case No.: OSBOE 2021-223
)	
LISA BARACKER, D.O. Osteopathic)	
Medical License No. 7574)	
)	
Respondent,)	

ORDER GRANTING FULL LICENSE

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners (“Board”) at a regular meeting of the Board on March 14, 2024, Lisa Baracker, D.O. (“Dr. Baracker”) presents with counsel, Kaylee Davis-Maddy.

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 Motion to Remove Conditions and being fully advised, enters this Order Granting Full License.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Board that, for good cause shown, Dr. Baracker’s Motion to Remove Conditions is **GRANTED**. Dr. Baracker’s license to practice osteopathic medicine in the State of Oklahoma is issued with the status of good standing and without any restrictions, conditions, or curtailment.

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 26 day of March, 2024.

Bret Langerman, D.O.

[Bret Langerman, D.O. \(Mar 26, 2024 10:28 CDT\)](#)

Bret S. Langerman, D.O.

Board President

State Board of Osteopathic Examiners

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

STATE OF OKLAHOMA, <i>ex rel.</i>)	
OKLAHOMA STATE BOARD)	
OF OSTEOPATHIC EXAMINERS,)	
)	
Petitioner,)	
)	
v.)	Case No. 2023-153
)	
BRADLEY CROSS, D.O.,)	
Osteopathic Medical License No.)	
6387,)	
)	
Respondent.)	

CONSENT ORDER

The State of Oklahoma, *ex rel.* Oklahoma State Board of Osteopathic Examiners (“Petitioner” or the “Board”), by and through the undersigned counsel for the Board, as represented by J. Patrick Quillian, and Bradley Cross, D.O. (“Respondent” or “Dr. Cross”), Oklahoma license no. 6387, who appears in person, and through counsel Elizabeth A. Scott, of Crowe & Dunlevy, PC (collectively, the “Parties”), offer this Consent Order (herein, “Order” or “Agreement”) for acceptance by the Board.

By voluntarily entering into this Order, Respondent admits to certain of the allegations herein contained and further acknowledges that a hearing before the Board could result in some sanction under the Oklahoma Osteopathic Medicine Act (“Act”). 59 O.S. § 620 *et seq.*

Respondent, Bradley Cross, D.O., states that he is of sound mind and is not under the influence of, or impaired by, any medication or drug and that he fully recognizes his right to appear before the Board for an evidentiary hearing on the allegations made against him. Respondent hereby voluntarily waives his right to a full hearing, submits to the jurisdiction of the Board and agrees to abide by the terms and conditions of this Order. Respondent acknowledges that he has read and understands the terms and conditions stated herein, and that this Agreement may be reviewed and discussed with him by legal counsel prior to execution.

If the Board does not accept this Order, the Parties stipulate that it shall be regarded as null and void. Admissions by Respondent herein, if any, shall not be regarded as evidence against him in a subsequent disciplinary hearing. Respondent will be free to defend himself and no inferences will be made from his willingness to have this Order accepted by the Board. The Parties stipulate that neither the presentation of this

Order nor the Board's consideration of this Order shall be deemed to have unfairly or illegally prejudiced the Board or its individual members and, therefore, shall not be grounds for precluding the Board nor any individual Board member from further participation in proceedings related to the matters set forth herein.

FINDINGS OF FACT

The Parties stipulate and agree as follows:

1. In July 2018, Dr. Cross was issued Oklahoma Osteopathic Medical License No. 6387. Dr. Cross is primarily engaged in the practice of family medicine in McAlester, Oklahoma.
2. On March 23, 2023, Dr. Cross was arrested in Colbert, Oklahoma for Driving While Under the Influence (alcohol). On this same day, he was charged by the Bryan County District Attorney's office in Case No. CM-2021-156 with one misdemeanor count of Driving a Motor Vehicle While Under the Influence of Alcohol, in violation of 47 O.S. §11-902(A)(1).
3. On June 15, 2023, Dr. Cross pled no contest to the charge and received probation.
4. In July 2023 Dr. Cross submitted his renewal application with the Board and did not disclose his March 2023 arrest. When later questioned by Board investigators, Dr. Cross stated that his defense counsel told him he did not need to report it.
5. From December 1, 2023 until February 20, 2024, Dr. Cross obtained inpatient treatment for alcohol abuse at Palmetto Addiction Recovery Center.
6. Upon release from Palmetto, on February 20, 2024, Dr. Cross signed a five (5) year monitoring contract with the Oklahoma Health Professional Program ("OHPP") and has remained in compliance since that time.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over the subject matter and is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of osteopathic physicians in the State of Oklahoma. 59 O.S. § 620 *et seq.* and Okla. Admin. Code §§ 510: 1-1 -1 *et seq.*
2. The Board is authorized to suspend, revoke or order any other appropriate conditions against the license of any osteopathic physician holding a license to practice medicine in the State of Oklahoma for unprofessional conduct. 59 O.S. §§ 637.1.

3. Based on the foregoing, Dr. Cross is guilty of unprofessional conduct as follows:
 - a. a. Has been granted a license renewal based upon a material mistake of fact. 59 O.S. §637(A)(1).

ORDER

IT IS THEREFORE ORDERED by the Oklahoma State Board of Osteopathic Examiners as follows:

1. The Board hereby adopts the Agreement of the Parties in this Consent Order, including the Findings of Fact and Conclusions of Law stated herein.
2. **Bradley Cross, D.O.** is hereby placed on Probation for a term of five (5) years and shall comply with the following probationary terms and conditions:
 - a. Board staff shall have oversight of this Order on behalf of the Board, and the authority to direct Respondent to provide any and all reports, evaluations, assessments, and/or documents, relevant to this matter, including but not limited to, the signing of any authorizations necessary for the release of any and all evaluations/reports directly to the Board.
 - b. Respondent shall continue to comply with his current five (5) year contract with Oklahoma Health Professionals Program ("OHPP").
 - c. Respondent shall abide by all recommendations of OHPP, including but not limited to attendance at weekly Caduceus meetings.
 - d. Respondent shall attend Alcoholics Anonymous ("AA") meetings in accordance with OHPP policy and will acquire an AA home group. Respondent will attend 90 meetings in 90 days after completion of treatment at Palmetto, then will attend a minimum of three (3) AA meetings per week for the remainder of his OHPP contract, or as otherwise directed by OHPP.
 - e. Respondent will engage in regular communication with an AA sponsor and will engage in five contacts per week in the first 90 days after completion of treatment at Palmetto, then a minimum of two contacts per week thereafter, or as otherwise directed by OHPP.
 - f. Respondent shall ensure OHPP provides quarterly reports to the Board and/or the Board's Compliance Officer regarding Respondent's progress and participation in OHPP, including but not limited to meeting attendance records.
 - g. Respondent shall establish a therapeutic relationship with a therapist and participate in regular individual therapy sessions with such therapist for two (2) years after completion of treatment at Palmetto. Frequency of therapy

sessions shall be at the discretion of the therapist. The therapist shall be preapproved by the OHPP. Respondent shall execute appropriate releases and ensure the therapist provides updates to the Board's Compliance Officer as requested.

- h. Respondent shall make an appointment to see Michael McCormick, M.D., Jennifer Garrett, FNP, or Ryan Yates, NP-Psychiatric quarterly for the first year following discharge from Palmetto, every six months for the next year, then once a year for the remainder of his OHPP contract. These visits may be virtual.
- i. Respondent shall conduct his practice in compliance with the Oklahoma Osteopathic Medicine Act ("Act") as interpreted by the Board. Any question of interpretation regarding the Act or this Order shall be submitted in writing to the Board, and no action based on the subject of the question will be taken by Respondent until clarification of interpretation is received by Respondent from the Board or its authorized designee. 59 O.S. § 620, *et seq.*
- j. Respondent shall furnish a file-stamped copy of this Order stipulating terms imposed by the Board, to each and every state in which he holds licensure or applies for licensure and to all hospitals, clinics or other facilities in which he/she holds or anticipates holding any form of staff privileges or employment.
- k. Respondent shall complete Monthly Supervision Self-Reports provided by Board Staff by the tenth (10th) day of each month.
- l. Respondent will maintain monthly contact with his assigned Board Investigator.
- m. Respondent will keep the Board informed of his current home, work, and email address as well as cell phone number.
- n. Respondent shall maintain compliance with continuing medical education credits as required by the Board's statutes and rules.
- o. In the event Respondent leaves the State of Oklahoma to practice medicine in another jurisdiction, and surrenders his license here in Oklahoma, the terms and conditions of this Order shall be tolled.
- p. Respondent shall notify the Board in writing within fourteen (14) days in the event he is terminated or resigns from employment as an osteopathic physician.
- q. Respondent will keep current payment of all assessments by the Board for prosecution, investigation and monitoring of his case, which shall include,

but is not limited to, a fee of one-hundred dollars (\$100) per month during the term of probation, unless Respondent affirmatively obtains a deferment of all or part of said fees upon presentation of evidence that is acceptable to the Board.

- r. Until such time as all indebtedness to the Board has been satisfied, Respondent will reaffirm said indebtedness in any bankruptcy proceeding.
 - s. Respondent will not supervise allied health professionals, physician assistants, or advanced nurse practitioners, that require surveillance of a licensed medical practitioner. Okla. Admin. Code § 510:10-4-3
 - t. Respondent shall promptly notify the Board or Compliance Officer of any citation or arrest for traffic or for criminal offenses.
 - u. Upon request, Respondent shall make himself available for one or more personal appearances before the Board or its authorized designee.
 - v. Respondent will execute such releases of medical and psychiatric records during the entire term of this Order as necessary for use by the Board and/or Compliance Officer to obtain copies of medical records and assessments and authorize the Board and/or Compliance Officer to discuss Respondent's case with Respondent's treating physicians and/or any physicians holding Respondent's records.
3. A copy of this Order shall be provided to Respondent as soon as it is processed.

Any violation of this Order may result in further discipline of Respondent'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 pursuant to federal law, including but not limited to, 45 CFR Part 60.

IT IS SO ORDERED AND EFFECTIVE this 26 day of March, 2024.

Bret Langerman, D.O.
Bret Langerman, D.O. (Mar 26, 2024 10:35 CDT)

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

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

STATE OF OKLAHOMA, ex rel.,)	
STATE BOARD OF OSTEOPATHIC)	
EXAMINERS,)	
)	
Petitioners,)	
)	
v.)	OSBOE Case No. 2021-213
)	
DANIEL DE GASTON, D.O.)	
Osteopathic Medicine License No. 6640.)	
)	
Respondent.)	

CONSENT ORDER

The State of Oklahoma, *ex rel.* Oklahoma State Board of Osteopathic Examiners (“Petitioner” or the “Board”), by and through the undersigned counsel for the Board, as represented by J. Patrick Quillian, and Daniel de Gaston, D.O. (“Respondent” or “Dr. de Gaston”), Oklahoma license no. 6640, who appears in person, and through counsel Niku Bayatfar, PC (collectively, the “Parties”), offer this Consent Order (herein, “Order” or “Agreement”) for acceptance by the Board.

By voluntarily entering into this Order, Respondent admits to certain of the allegations herein contained and further acknowledges that a hearing before the Board could result in some sanction under the Oklahoma Osteopathic Medicine Act (“Act”). 59 O.S. § 620 *et seq.*

Respondent, Daniel de Gaston, D.O., states that he is of sound mind and is not under the influence of, or impaired by, any medication or drug and that he fully recognizes his right to appear before the Board for an evidentiary hearing on the allegations made against him. Respondent hereby voluntarily waives his right to a full hearing, submits to the jurisdiction of the Board and agrees to abide by the terms and conditions of this Order. Respondent acknowledges that he has read and understands the terms and conditions stated herein, and that this Agreement may be reviewed and discussed with him by legal counsel prior to execution.

If the Board does not accept this Order, the Parties stipulate that it shall be regarded as null and void. Admissions by Respondent herein, if any, shall not be regarded as evidence against him in a subsequent disciplinary hearing. Respondent will be free to defend himself and no inferences will be made from his willingness to have this Order accepted by the Board. The Parties stipulate that neither the presentation of this Order nor the Board’s consideration of this Order shall be deemed to have unfairly or illegally prejudiced the Board or its individual members and,

therefore, shall not be grounds for precluding the Board nor any individual Board member from further participation in proceedings related to the matters set forth herein.

FINDINGS OF FACT

1. Dr. Daniel de Gaston, D.O., is the holder of a license to practice as an osteopathic physician in the State of Oklahoma, license number 6640. Dr. de Gaston received his license to practice as an osteopathic physician in Oklahoma from the Board on July 1, 2019, and primarily practices in family medicine.
2. Dr. de Gaston began OSU College of Health Sciences Family Medicine Residency (the "OSU-CHS Residency") on July 1, 2018. Due to repeated issues with respect to professionalism, inattentiveness, and frequent mistakes throughout the OSU-CHS Residency, hospital staff required Dr. de Gaston to undergo three (3) focused reviews and placed him on two (2) separate periods of probation. Dr. de Gaston took courses in areas such as Risk Management, Diversity and Inclusion, and volunteering with pertinent causes to remedy these issues. However, OSU-CHS Residency staff ultimately placed Dr. de Gaston on a zero-tolerance plan in a final attempt to remediate continued observed deficiencies.
3. In early 2021, hospital staff gave Dr. de Gaston the option of resigning from the OSU-CHS Residency in lieu of being dismissed due to Dr. De Gaston's inability to remediate continued observed deficiencies. Dr. de Gaston initially opted to resign but then withdrew his resignation. Hospital staff then dismissed Dr. de Gaston from the OSU-CHS Residency on February 23, 2021.
4. Dr. de Gaston has worked as a staff physician at John Lilley Correctional Facility in Boley, Oklahoma ("JLCC") since being terminated from the OSU-CHS Residency. JLCC Staff have reported no observed deficiencies regarding Dr. de Gaston's professionalism or knowledge and have indicated that he has excelled in his current position.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over the subject matter and is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of osteopathic physicians in the State of Oklahoma. 59 O.S. § 620 *et seq.* and Okla. Admin. Code §§ 510: 1-1 -1 *et seq.*
2. The Board is authorized to suspend, revoke or order any other appropriate conditions against the license of any osteopathic physician holding a license to practice medicine in the State of Oklahoma for unprofessional conduct. 59 O.S. §§ 637.1.
3. Based on the foregoing, Dr. de Gaston is guilty of unprofessional conduct as follows:

- a. 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. 59 O.S. §637(A)(2).
- b. Acted in a manner which results in final disciplinary action by any ... hospital or medical staff of such hospital in this or any other state ... if the action was in any way related to professional conduct, professional competence, malpractice or any violation of the Oklahoma Osteopathic Medicine Act. 59 O.S. §637(A)(2)(f).
- c. Has engaged in repeated acts of negligence, malpractice or incompetence during the OSU-CHS Residency. 59 O.S. §637(A)(4).

ORDER

IT IS THEREFORE ORDERED by the Oklahoma State Board of Osteopathic Examiners as follows:

1. The Board hereby adopts the Agreement of the Parties in this Consent Order, including the Findings of Fact and Conclusions of Law stated herein.
2. Daniel de Gaston, D.O. is hereby placed on Probation for a term of five (5) years and shall comply with the following probationary terms and conditions:
 - a. Dr. de Gaston shall at all times maintain gainful employment as an osteopathic physician. Dr. de Gaston shall notify the Board in writing within fourteen (14) days in the event Dr. de Gaston is terminated or resigns from employment as an osteopathic physician.
 - b. Upon request, Dr. de Gaston shall make himself available for one or more personal appearances before the Board or its authorized designee.
 - c. Dr. de Gaston will maintain quarterly contact with his assigned Board Investigator.
 - d. Dr. de Gaston shall bear the financial costs of any expenses incurred from this Order.
 - e. Board staff shall have oversight of this Order on behalf of the Board, and the authority to direct Dr. de Gaston to provide any and all reports, evaluations, assessments, and/or documents, relevant to this matter, including but not limited to, the signing of any authorizations necessary for the release of any and all evaluations/reports directly to the Board.
 - f. Dr. de Gaston shall complete the Compliance Information Request Form sent by Board staff within ten (10) days of receipt.

- g. Dr. de Gaston shall complete Quarterly Supervision Self-Reports provided by Board Staff by the tenth (10th) day of each month.
 - h. Dr. de Gaston is assessed an ongoing monthly Administrative Maintenance fee of one hundred dollars (\$100), due by the first day of each month and continued monthly during the pendency of any active and ongoing Board Order.
 - i. Dr. de Gaston may utilize his right to consult legal counsel in connection with this inquiry by the Board known as OSBOE-2021-213, this Order, or any other inquiry by the Board.
 - j. Dr. de Gaston shall notify the Board within fourteen (14) days of any changes to legal counsel.
 - k. Dr. de Gaston shall provide a copy of this Order in whole with any current or potential employer.
 - l. Dr. de Gaston shall notify the Board within fourteen (14) days of any changes to their residential, practice, or email address as well as any change to his cell phone number.
 - m. Dr. de Gaston shall renew his license yearly as required by the Board's statutes and rules. Failure to renew could result in cancellation by the Board.
 - n. Dr. de Gaston shall maintain compliance with continuing medical education ("CME") Credits as required by the Board's statutes and rules.
 - o. In the event Dr. de Gaston leaves the State of Oklahoma to practice medicine in another jurisdiction, and surrenders his license here in Oklahoma, the terms and conditions of this Order shall be tolled.
 - p. The Board shall have the ability and discretion to terminate the period of probation prior to the expiration of five (5) years in the event Dr. de Gaston completes an accredited residency program in osteopathic medicine and seeks early termination in writing.
3. A copy of this Order shall be provided to Respondent as soon as it is processed.

Any violation of this Order may result in further discipline of Dr. de Gaston'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 pursuant to federal law, including but not limited to, 45 CFR Part 60.

IT IS SO ORDERED AND EFFECTIVE this 26 day of March, 2024.

Dated this 26 day of March, 2024.

Bret Langerman, D.O.

Bret Langerman, D.O. (Mar 26, 2024 10:35 CDT)

Bret S. Langerman, D.O.
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,)	
)	Case No. OSBOE-0319-025
v.)	
)	
Donna R. Hill, D.O., Osteopathic)	
Medical License No. 3463,)	
)	
Respondent.)	

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND
ORDER OF REVOCATION**

This matter comes on for hearing before the Oklahoma State Board of Osteopathic Examiners (“Board”) at a regular meeting of the Board on March 14, 2024. The Board is represented by Special Prosecutor for the Board, J. Patrick Quillon. Donna R. Hill, D.O. (“Dr. Hill”) was provided notice of the hearing, but Dr. Hill did not appear. The Board’s Investigator, Joshua Freeman, appeared and gave sworn testimony.

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

The Board, after reviewing the pleadings and testimony at the hearing and otherwise considering all 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. Hill is the holder of a suspended license to practice as an osteopathic physician in the State of Oklahoma, license number 3463.

2. On December 5, 2018, Board Special Investigator John Mobley opened a complaint filed with the Board involving several patients of Dr. Hill expressing concern because they could not reach Dr. Hill for appointments or medication refills.

3. On March 14, 2019, the Board received a second complaint that Dr. Donna R. Hill had failed to provide medical records to a patient after numerous requests made by the patient and the attorney for the patient. The complaint further alleged that Dr. Hill did not respond to telephone messages and that her office door was locked during office hours.

4. Investigator Mobley tried for several days to contact Dr. Hill by telephone and email at both professional and personal numbers, with no success.

5. On April 5, 2019, Investigator Mobley went to Dr. Hill's office address at 2500 McGee Drive #126, Norman, Oklahoma, to both investigate the complaint and to check on the welfare of Dr. Hill. Dr. Hill and her adult daughter were at the address, although the office was not open and not in a condition to be open for patients.

6. During the April 5, 2019, welfare visit, the Investigator Mobley determined that Dr. Hill appeared to be confused and was unable to respond to simple questions regarding her patient's medical records. She was unkempt. She was unsteady on her feet, weaving from side to side; her speech was extremely slurred and hard to understand.

7. On April 5, 2019, Dr. Hill reported that she was taking Xanax, but was unable to say how much she had taken and when her last dose was taken. After further conversation with no positive communication, Investigator Mobley took photographs and left the office.

8. On April 17, 2019, an emergency notice was served by certified mail and numerous attempts to deliver them personally by Investigator Mobley directing her appearance before the Oklahoma Board of Osteopathic Examiners on April 18, 2019, to show cause why she should not be suspended from the practice of medicine. Dr. Hill was personally delivered a copy of the Notice and Emergency Complaint to her residence and

office.

9. On April 18, 2019, the Board Suspended Dr. Hill's license to practice osteopathic medicine pending a hearing on the merits. Though service was attempted to Dr. Hill, she was not in attendance.

10. On May 7, 2019, Investigator Mobley personally delivered the copy of the Notice and Emergency Complaint to Dr. Hill's office and residence for her hearing on May 10, 2019.

11. On May 10, 2019, the Board met in a special board meeting to discuss the emergency suspension of Dr. Hill from the practice of medicine. Investigator Mobley testified to the Board regarding his findings and offered the photographs taken on April 5, 2019. Dr. Hill did not appear.

12. On May 10, 2019, the Board voted to suspend Dr. Hill's license with the following five conditions.

(1). Prior to her next appearance before the Board, Dr. Hill shall obtain and present an independent psychological evaluation by Dr. A.W. Rousseau, supported by neurological-psychological testing done by Dr. David Johnsen. All expenses related to this testing and evaluation shall be borne by Dr. Hill. Dr. Hill shall sign full releases so that the Board may receive copies of the test and evaluation results directly from the physicians.

(2). Board staff is charged with oversight of all provisions of this order on behalf of the Board.

(3). Following the receipt of the testing and evaluations, Dr. Hill shall appear at the next regularly scheduled Board Meeting at which time the Board may order further testing or such further Orders as the Board deems necessary and proper.

(4). This Interim Order is not a final determination by this Board and is therefore not appealable as a final order.

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

13. Dr. Hill has not notified the Board of any progress on the May 10, 2019, Board Order. None of the required steps for the Board Order has been completed in over 3 years and there has been no known attempts to reach out to the Board.

14. On November 21, 2023, Dr. Hill was issued a notice and order to show cause by Investigator Zimmer. Dr. Hill was to appear at the December 2023 Board meeting to explain why her Oklahoma Osteopathic Medical License should not be revoked due to lack of progress toward compliance with the May 10, 2019 Board Order. This notice was sent through certified mail and emailed to her official email registered with the Board.

15. On November 28, 2023, Dr. Hill requested a continuance through phone to Chief Investigator Zimmer for the Pre-Hearing Conference. Dr. Hill communicated that she had no money or source of income that would enable her to comply with the Board Orders and no way to get to the December Board hearing. Investigator Zimmer asked if she wanted to surrender her license since she had not taken any steps to comply with the May 10, 2019 Board Order. She declined surrender at that time.

16. On December 14, 2023, Investigator Zimmer approached the Board and said that Dr. Hill was not in attendance, but had requested a continuance in a phone call on November 28, 2023. The Board approved the continuance to the March 14, 2024 Meeting. Dr. Hill was notified by Investigator Zimmer through her registered official email and by certified mail that she would have to appear before the Board on March 14, 2024.

17. On February 6, 2024, Dr. Hill was given notice by Investigator Zimmer through her official registered email, voicemail left in the official phone number listed on Dr. Hill's license application, and by certified mail to attend a February 22, 2024, Pre-Hearing Conference to discuss her appearance at the upcoming March 14, 2024 Board Meeting.

18. On February 22, 2024, the Pre-Hearing Conference was held, and Dr. Hill did not attend or notify the Board that she would be absent. Investigator Zimmer called Dr. Hill's official phone number to inquire why she did not appear. Dr. Hill did not answer the call, so a voice mail was left to immediately contact the Board staff to discuss her non-appearance at the required prehearing conference. The voice mail also reminded her that she would have to be present at the March 14, 2024 Board Meeting.

19. Dr. Hill did not attend the March Board Meeting. Dr. Hill did not contact Board Staff to inform she would not attend. Dr. Hill did not request a continuance for the March Board Meeting.

20. The last known contact by Dr. Hill with the Board was her call requesting an appearance on November 28, 2023. Dr. Hill has ignored attempted contacts through

certified mail, and messages sent to her official email and phone number.

21. Compliance Officer Freeman testified at the March Board Meeting and fully outlined that Dr. Hill had taken no steps to satisfy the requirements of the May 10, 2019 Board Order. He also outlined her failure to comply with the 2024 order to attend the Pre-Hearing Conference and the March 2024 Board Meeting.

CONCLUSIONS OF LAW

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

2. The Board concludes, by clear and convincing evidence, that Dr. Hill is in violation of Tit. 59 O.S. § 637 (A)(4), (7), and (11).

The statutes read in relevant part: Title 59 O.S. § 637(A) The State Board of Osteopathic Examiners may refuse to admit a person to an examination or may refuse to issue or reinstate or may suspend or revoke any license issued or reinstated by the Board upon proof that the applicant or holder of such a license:

... (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

...(11). Has violated or refused to comply with a lawful order of the Board;

3. The Board concludes by clear and convincing evidence that such violations are grounds for imposing any sanction against Dr. Hill's license to practice osteopathic medicine in the state of Oklahoma that is permitted by statute and the rules and regulations of the Board.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Board that the license to practice osteopathic medicine in the State of Oklahoma held by Dr. Hill is hereby REVOKED.

IT IS FURTHER ORDERED that this Order is to be disseminated to all related regulatory agencies. As well as to all hospitals, pharmacies, and related entities in the area where Dr. Hill formerly practiced medicine.

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, ADJUDGED AND DECREED this 12 day of April, 2024.

Bret Langerman, D.O.
Bret Langerman, D.O. (Apr 12, 2024 20:43 CDT)
Bret S. Langerman, D.O.
Board President
State Board of Osteopathic Examiners



OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2024-21A

Steven Mullins, Executive Director
State Board of Osteopathic Examiners
4848 N. Lincoln Blvd., Ste. 100
Oklahoma City, Oklahoma 73105

April 9, 2024

Re: Hill, Case No. 319-025

Dear Executive Director Mullins:

This office has received your request for a written Attorney General Opinion regarding action that the State Board of Osteopathic Examiners intends to take in Case Number 319-025.

The Oklahoma Osteopathic Medicine Act authorizes the Board to “revoke any license issued” upon proof that the license holder has engaged in “acts of negligence, malpractice or incompetence, as determined by the Board.” 59 O.S.Supp.2023, § 637(A)(4). Further, the Board may also take action when a license holder has failed to comply with provisions of any act or regulation administered by the Board,” or “violated or refused to comply with a lawful order of the Board.” *Id.* § 637(A)(7), (11).

According to a Board’s March 2024 order, the Board suspended Respondent’s license with conditions in May 2019. The order required Respondent to submit to a psychological evaluation and neurological-psychological testing prior to a subsequent Board appearance. *See* A.G. Op. 2019-234A. As of the date of the Board’s March 2024, hearing, Respondent has not completed the Board’s requirements. Respondent failed to appear at the conference or the March 2024, Board meeting. Finding clear and convincing evidence of grounds for discipline under 59 O.S.Supp.2023, § 637(A)(4), (7), (11), the Board proposes to revoke Respondent’s license and notify all regulatory agencies, and any related care facilities in the area where Respondent previously practiced. The Board may reasonably believe the proposed action is necessary to deter future violations.

It is, therefore, the official opinion of the Attorney General that the State Board of Osteopathic Examiners has adequate support for the conclusion that this action advances the State’s policy to protect the public welfare.

A handwritten signature in blue ink, appearing to read "Rob Johnson".

ROB JOHNSON
GENERAL COUNSEL

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

STATE OF OKLAHOMA, <i>ex rel.</i>)	
OKLAHOMA STATE BOARD)	
OF OSTEOPATHIC EXAMINERS,)	
)	
Petitioner,)	
)	
v.)	Case No. 2021-119
)	
DENNIS HO, D.O.,)	
Osteopathic Medical License No.)	
6672,)	
)	
Respondent.)	

CONSENT ORDER

The State of Oklahoma, *ex rel.* Oklahoma State Board of Osteopathic Examiners (“Petitioner” or the “Board”), by and through the undersigned counsel for the Board, as represented by J. Patrick Quillian, and Dennis Ho, D.O. (“Respondent” or “Dr. Ho”), Oklahoma license no. 6672, who appears in person, and through counsel Elizabeth A. Scott, of Crowe & Dunlevy, PC (collectively, the “Parties”), offer this Consent Order (herein, “Order” or “Agreement”) for acceptance by the Board.

By voluntarily entering into this Order, Respondent admits to certain of the allegations herein contained and further acknowledges that a hearing before the Board could result in some sanction under the Oklahoma Osteopathic Medicine Act (“Act”). 59 O.S. § 620 *et seq.*

Respondent, Dennis Ho, D.O., states that he is of sound mind and is not under the influence of, or impaired by, any medication or drug and that he fully recognizes his right to appear before the Board for an evidentiary hearing on the allegations made against him. Respondent hereby voluntarily waives his right to a full hearing, submits to the jurisdiction of the Board and agrees to abide by the terms and conditions of this Order. Respondent acknowledges that he has read and understands the terms and conditions stated herein, and that this Agreement may be reviewed and discussed with him by legal counsel prior to execution.

If the Board does not accept this Order, the Parties stipulate that it shall be regarded as null and void. Admissions by Respondent herein, if any, shall not be regarded as evidence against him in a subsequent disciplinary hearing. Respondent will be free to defend himself and no inferences will be made from his willingness to have this Order accepted by the Board. The Parties stipulate that neither the presentation of this

Order nor the Board's consideration of this Order shall be deemed to have unfairly or illegally prejudiced the Board or its individual members and, therefore, shall not be grounds for precluding the Board nor any individual Board member from further participation in proceedings related to the matters set forth herein.

FINDINGS OF FACT

The Parties stipulate and agree as follows:

1. In July 2019, Dr. Ho was issued Oklahoma Osteopathic Medical License No. 6672. Dr. Ho is an anesthesiologist and most recently practiced in Lawton, Oklahoma.
2. In July 2021, Dr. Ho contacted former Executive Director Michael Leake and self-reported his use of fentanyl without a legitimate prescription since May 2021. Dr. Ho advised that he was addicted to fentanyl and had obtained the medications from his employer, Comanche County Medical Center ("CCMC"). Dr. Ho stated that he had been using fentanyl due to his depression from being away from his severely ill wife.
3. From July 15, 2021, until September 30, 2021, Dr. Ho obtained inpatient treatment for substance abuse at Bradford Health Services.
4. On August 16, 2021, while still in residential treatment at Bradford, Dr. Ho executed an Agreement Not to Practice with the Board wherein he agreed not to practice until he appeared before the Board.
5. Upon release from Bradford, on October 12, 2021, Dr. Ho signed a five (5) year monitoring contract with the Oklahoma Health Professional Program ("OHPP") and has remained in compliance since that time.
6. On June 6, 2022, the Department of Health and Human Services ("DDHS") officially excluded Dr. Ho from participating in all federal health care programs as defined in Section 1128B(f) of the Social Security Act.
7. On April 3, 2023, Dr. Ho was charged in the Western District of Oklahoma, Case No. CR-23-150-SLP with One (1) Felony Count of Obtaining a Controlled Dangerous Substance by Subterfuge, in violation of Tit. 21 U.S.C, Section 843(a)(3).
8. On April 19, 2023, Dr. Ho plead guilty to the charge, stating in open Court to District Judge Scott Palk that he was addicted to fentanyl and had illegally obtained fentanyl on the job while working at CCMC.

9. On December 12, 2023, Dr. Ho was sentenced to 36 months' probation, a \$2,500.00 fine, and a \$100.00 special assessment.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over the subject matter and is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of osteopathic physicians in the State of Oklahoma. 59 O.S. § 620 *et seq.* and Okla. Admin. Code §§ 510: 1-1 -1 *et seq.*
2. The Board is authorized to suspend, revoke or order any other appropriate conditions against the license of any osteopathic physician holding a license to practice medicine in the State of Oklahoma for unprofessional conduct. 59 O.S. §§ 637.1.
3. Based on the foregoing, Dr. Ho is guilty of unprofessional conduct as follows:
 - a. Has engaged in the use or employment of dishonest, fraud, misrepresentation ... unethical conduct or unprofessional conduct, as determined by the Board, in the performance of functions or duties of an osteopathic physician, including but not limited to dispensing, prescribing, administering or otherwise distributing any drug, controlled substance or other treatment or violating any state or federal law on controlled dangerous substances. 59 O.S. §637(A)(2)(g).
 - b. Has entered a guilty plea in a criminal proceeding for any offense reasonably related to the qualifications, functions, or duties of an osteopathic physician. 59 O.S. §637(A)(5).
 - c. Has had the authority to engage in the activities regulated by the Board revoked by a federal agency. 59 O.S. §637(A)(5).
 - d. Has been guilty of habitual addiction to the use of habit-forming drugs. 59 O.S. §637(A)(12).

ORDER

IT IS THEREFORE ORDERED by the Oklahoma State Board of Osteopathic Examiners as follows:

1. The Board hereby adopts the Agreement of the Parties in this Consent Order, including the Findings of fact and conclusions of law stated herein.
2. **Dennis Ho, D.O.** is hereby placed on Probation for a term of five (5) years beginning on October 12, 2021, and shall comply with the following probationary terms and conditions:

- a. Board staff shall have oversight of this Order on behalf of the Board, and the authority to direct Respondent to provide any and all reports, evaluations, assessments, and/or documents, relevant to this matter, including but not limited to, the signing of any authorizations necessary for the release of any and all evaluations/reports directly to the Board.
- b. Respondent shall continue to comply with his current five (5) year contract with Oklahoma Health Professionals Program ("OHPP").
- c. Respondent shall abide by all recommendations of OHPP, including but not limited to attendance at Caduceus meetings.
- d. Respondent shall ensure OHPP provides quarterly reports to the Board and/or the Board's Compliance Officer regarding Respondent's progress and participation in OHPP, including but not limited to meeting attendance records.
- e. Respondent will maintain monthly contact with his assigned Board Investigator.
- f. Respondent shall complete Monthly Supervision Self-Reports provided by Board Staff by the tenth (10th) day of each month.
- g. Respondent shall establish a therapeutic relationship with a therapist and participate in regular individual therapy sessions with such therapist. The therapist shall be preapproved by the OHPP. Respondent shall execute appropriate releases and ensure the therapist provides updates to the Board's Compliance Officer as requested.
- h. Respondent shall obtain a primary care physician.
- i. Respondent shall remain on Vivitrol injections as long as he is a practicing physician. Respondent's injections shall be administered by his primary care physician or at a location as approved by OHPP.
- j. Respondent shall conduct his practice in compliance with the Oklahoma Osteopathic Medicine Act ("Act") as interpreted by the Board. Any question of interpretation regarding the Act or this Order shall be submitted in writing to the Board, and no action based on the subject of the question will be taken by Respondent until clarification of interpretation is received by Respondent from the Board or its authorized designee. 59 O.S. § 620, *et seq.*
- k. Respondent shall furnish a file-stamped copy of this Order stipulating terms imposed by the Board, to each and every state in which he holds licensure or applies for licensure and to all hospitals, clinics or other facilities in which he holds or anticipates holding any form of staff privileges or employment.

- l. Respondent will keep the Board informed of his current home, work, and email address, as well as cell phone number.
 - m. Respondent shall maintain compliance with continuing medical education credits as required by the Board's statutes and rules.
 - n. In the event Respondent leaves the State of Oklahoma to practice medicine in another jurisdiction, and surrenders his license here in Oklahoma, the terms and conditions of this Order shall be tolled.
 - o. Respondent shall notify the Board in writing within fourteen (14) days in the event he is terminated or resigns from employment as an osteopathic physician.
 - p. Respondent will keep current payment of all assessments by the Board for prosecution, investigation, and monitoring of his case, which shall include, but is not limited to, a fee of one hundred dollars (\$100.00) per month during the term of probation, unless Respondent affirmatively obtains a deferment of all or part of said fees upon presentation of evidence that is acceptable to the Board.
 - q. Until such time as all indebtedness to the Board has been satisfied, Respondent will reaffirm said indebtedness in any bankruptcy proceeding.
 - r. Respondent will not supervise allied health professionals, physician assistants, or advanced nurse practitioners, that require surveillance of a licensed medical practitioner. Okla. Admin. Code § 510:10-4-3
 - s. Upon request, Respondent shall make himself available for one or more personal appearances before the Board or its authorized designee.
 - t. Respondent will execute such releases of medical and psychiatric records during the entire term of this Order as necessary for use by the Board and/or Compliance Officer to obtain copies of medical records and assessments and authorize the Board and/or Compliance Officer to discuss Respondent's case with Respondent's treating physicians and/or any physicians holding Respondent's records.
3. A copy of this Order shall be provided to Respondent as soon as it is processed.

Any violation of this Order may result in further discipline of Respondent'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 pursuant to federal law, including but not limited to, 45 CFR Part 60.

IT IS SO ORDERED AND EFFECTIVE this 12 day of April, 2024.

Bret Langerman, D.O.
Bret Langerman, D.O. (Apr 12, 2024 20:44 CDT)

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

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

**IN THE MATTER OF MARINA)
LUKAC, D.O.,) Case No. OSBOE-2023-209
(Osteopathic Medical License No.)
8354)**

**FINDINGS OF FACT AND
ORDER ASSESSING ADMINISTRATIVE PENALTY**

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners (“Board”) at a regular meeting of the Board on March 14, 2024. Marina Lukac, D.O. (“Dr. Lukac”) appeared in person at the hearing on this date. The Board is represented by Special Prosecutor for the Board, J. Patrick Quillian. Dr. Lukac was provided notice of the hearing and did appear. The Board’s Investigator, Joshua Freeman, 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.

FINDINGS OF FACT

Out of State Facts

(Source – License Memo by Director Aquino for 1-10)

1. On June 27, 2016, Dr. Lukac started her PGY 1 in Child and Adolescent Psychiatry at Arnot Ogden Medical Center Program in New York.
2. On June 18, 2018, Dr. Lukac enrolled in the New York Committee for Physician Health with a commitment to a 5-year monitoring process. **This was not reported on Dr. Lukac’s application for licensure.**
3. On September 3, 2020, Dr. Lukac was arrested and charged with a misdemeanor Driving While Intoxicated in New York.
4. On September 10, 2020, Dr. Lukac was terminated from General Psychiatry at Arnot Ogden Medical Center. She completed PGY 1 – PGY 3 as well as 10 of 14 clinical rotations of PGY 4.

5. On April 1, 2021, Dr. Lukac underwent an Alcohol Evaluation through the Office of Alcoholism and Substance Abuse Services.
6. On November 21, 2021, Dr. Lukac entered into Florida Recovery Program for Alcohol Abuse Disorder.
7. On December 7, 2021, Dr. Lukac began working at Medical College of Georgia at Augusta University.
8. In December, 2021, Dr. Lukac registered with Georgia Professional Health Program (PHP) and signed a 5-year monitoring contract with them. Dr. Lukac was **terminated** from the program.
 - a. 2020 – tested positive for tetrahydrocannabinol (THC)
 - b. July 2022 – relapse on alcohol
 - c. September 2022 – tested positive for THC
 - d. April 2023 – tested positive for alcohol
 - e. August 2023 – refused to go back to treatment
9. On May 2, 2023, Dr. Lukac signed a voluntary agreement with New York State Department to not seek licensure in the state of New York and said agreement was entered into the National Practitioner Data Bank.
10. In August, 2023, Dr. Lukac was terminated from Georgia PHP for failed drug tests and refusing to go back to treatment. Dr. Lukac referenced the PHP program from Georgia in her application for an Oklahoma license. In her Oklahoma application stated she was “transferring” to Oklahoma Health Professionals Program (OHPP) from Georgia PHP but did not disclose she had been previously terminated.

Oklahoma Licensure Process

11. On August 14, 2023, Dr. Lukac started her Oklahoma license application.
12. On August 28, 2023, Dr. Lukac submitted the license application.
13. On November 11, 2023, Dr. Lukac was sent notice through certified mail of the December 14, 2023 Oklahoma Board Meeting. The mail was sent to her registered address in Georgia that she provided to the Oklahoma Board of Osteopathic Examiners as her official registered address.

14. On December 4, 2023, Dr. Lukac registered with OHPP. OHPP notified the Board that she was registered with the program. OHPP also notified the Board that Dr. Lukac was offered a position at Red Rock in Oklahoma City. (Email 12-4-23)
15. On December 14, 2023, the Oklahoma Board Meeting was held and Lukac was given licensure under strict terms and conditions.
16. On January 10, 2024, Dr. Lukac was emailed a copy of the board order through the Board's Investigations Unit email to her registered email. (Email 1-10-24)
17. On January 11, 2024, Dr. Lukac was mailed a copy of the Board Order through certified mail to her registered address in Georgia. (Investigator Report)
18. On January 16, 2024, Lukac changed her address through the online portal to an Oklahoma residence. (Online Portal, Investigator Report)
19. On February 6, 2024, a notice of a pre-hearing conference was sent to Dr. Lukac's registered address in Oklahoma through certified mail and through her official registered email. (Email 2-6-24, Investigator Report)
20. On February 13, 2024, Investigator Zimmer sent to Dr. Lukac's registered email an extensive list detailing all the requirements that were included in Dr. Lukac's Order of January 10, 2024. Investigator Zimmer outlined (5) requirements on which Dr. Lukac was noncompliant. Investigator Zimmer informed Dr. Lukac of the date of the next board meeting on March 14, 2024. Investigator Zimmer also attached a copy of her Board Order and stressed to Dr. Lukac in the email that she must comply with the Order or suffer possible revocation of her license. (Email 2-13-24, Investigator Report)
21. On February 22, 2024, a pre-conference hearing was held. Despite receiving notice at her registered address in Oklahoma and receiving a copy of the notice through her official registered email, Dr. Lukac did not attend. Following the conclusion of the pre-hearing conference, Investigator Zimmer called and left a voicemail on Lukac's registered phone.
22. On February 22, 2024, Dr. Lukac called back in response to the voice mail left on her registered phone and spoke with Investigator Zimmer. Dr. Lukac stated she was unaware of the pre-conference hearing. Investigator Zimmer then verified with Dr. Lukac her registered phone number, registered email address, and Oklahoma registered physical address. Dr. Lukac verified that the contact information of the Board

was correct. However, Dr. Lukac continued to assert to Investigator Zimmer that she was unaware of the pre-conference hearing, did not receive a copy of the December board order by email or any notices for the pre-conference hearing. Upon further conversation, Dr. Lukac **did admit to Investigator Zimmer that she did receive his email from February 13, 2024** with the Board Order and his instructions to begin the probation process. (Email 2-13-24, Investigator Report)

23. On February 23, 2024, Dr. Lukac was again notified through her registered voicemail that she still had not complied with the Board's Order and that she needed to update Investigator Freeman. **Dr. Lukac did not reply.**

24. On February 26, 2024, Investigator Freeman called and left a voicemail and sent an email to Dr. Lukac's registered devices. Dr. Lukac called back from her registered number and spoke with Investigator Freeman. Investigator Freeman detailed to Dr. Lukac the severity of her noncompliance, stating that she could be potentially revoked and that she was approximately 11 weeks late on some items from the Board Order being issued. Dr. Lukac stated that she understood and would come to the office to meet with Investigator Freeman and Director Mullins on February 28, 2024 to begin getting back into compliance. (Email 2-26-24, Investigator Report)

25. On February 28, 2024, Dr. Lukac emailed Investigator Freeman to cancel the meeting a few hours prior to the meeting. She provided no explanation as to why she cancelled the meeting. Dr. Lukac did send Investigator Freeman the compliance information request, her February monthly report, and her OHPP check in sheet. These items were all sent from her registered email. Dr. Lukac told Investigator Freeman that she would not be able to come to the office until the week of March 6, 2024, but that she would coordinate with him on a new date. (Email 2-28-24, Investigator Report)

26. Dr. Lukac's registered address is approximately 24 minutes from the Board's office. (Investigator Report)

27. On March 1, 2024, Dr. Lukac had still not coordinated for a time to meet with Investigator Freeman. (Investigator Report)

28. On March 4, 2024 at approximately 6:37 PM, **with no prior coordination**, Dr. Lukac emailed from her registered email that she would come to the office on 3-6-24 at 1:00 PM. This gave Investigator Freeman approximately 1 work day to change his work

schedule to meet with Dr. Lukac. Dr. Lukac did make her March monthly payment at this time online. (Email 3-4-24, Investigator Report)

29. On March 6, 2024, Dr. Lukac sent Investigator Freeman from her official email, the March monthly report. Dr. Lukac then came to the office. Investigator Freeman again expressed the Board's staff concerns with her lack of compliance and expressed the seriousness of maintaining compliance. Dr. Lukac told Investigator Freeman that she was not aware of the Board Order, that she did not know of her probationary requirements. She added, that she had **not received any** previous phone calls or voicemails from anyone at the Board, that she had **not received any** certified mail and that she had **not received any** emails. She also stated, that she **was not told the conditions or probationary requirements** of the Board Order and **denied ever speaking to Investigator Zimmer**. Investigator Freeman confronted Dr. Lukac about the inconsistencies and verified that her email address, phone number, and residential addresses were up to date. Dr. Lukac stated only her physical address has changed since the initial licensure application and **admitted that the offered excuses were not true**. Dr. Lukac was strongly advised to be truthful with the Board. (Investigator Report)

30. On March 7, 2024, Investigator Freeman received the December 2023 Board Meeting certified mail that was sent to Dr. Lukac's registered residence in Georgia on 1-10-24. The mail was returned to sender due to the address no longer being valid and no forwarding address being given.

31. On March 8, 2024, Investigator Freeman checked the licensure file of Dr. Lukac and found that no practice address was listed. Aware of the offer of employment made earlier to Dr. Lukac, he called Red Rock Behavioral Services, Inc. in Oklahoma City. Red Rock Behavioral Services, Inc stated that Dr. Lukac was their employee. Investigator Freeman noted that **Dr. Lukac had not updated her employment status** since she accepted the offer from Red Rock **as required** by the Board Order. Investigator Freeman emailed Dr. Lukac at her registered email instructing her to update her information to be in compliance with Paragraph 15 of her Board Order (Online Portal, Investigator Report)

32. **Dr. Lukac did not respond** to the email and **did not update** her practice information.

33. On March 14, 2024, the March Board Meeting was held and Investigator Freeman presented Dr. Lukac's case to the Board. **Dr. Lukac again misrepresented to the Board that the first contact that she had with the Board since the December meeting was with Investigator Freeman on March 6, 2024. She again falsely claimed that she never received the Board's Order or notice of probation.**

34. Dr. Lukac's official registered email and phone number has remained the same since her application on August 14, 2023.

35. The Board finds that on January 10, 2024, Dr. Lukac was properly notified by certified mail to her residence in Georgia and by email of the Board's Order.

36. The Board finds that on February 6, 2024, Dr. Lukac was properly notified for her pre-conference hearing on February 22, 2024.

37. The Board finds that on February 13, 2024, Dr. Lukac was properly notified of the Order and conditions of probation by email.

38. The Board finds that on February 22, 2024, Dr. Lukac spoke with Investigator Zimmer.

39. On March 14, 2024, Investigator Freeman stated that due to concerns of Dr. Lukac's lack of compliance and misrepresentations it was his recommendation that the Board enter an order of a no tolerance probation policy and an administrative fine of \$1,000 to be paid within 30 days of the Board Order being signed.

40. During the March 14, 2024 meeting, the Board ordered Dr. Lukac to orally outline her understanding of her probation conditions to ensure she understood and that there was no miscommunication. (Board Minutes, Investigator Report)

41. On March 15, 2024, Investigator Freeman received a voicemail from a blocked number, giving Investigator Freeman a "fair warning" that the male on the phone would be at the next board meeting and that what Investigator Freeman was doing was "not right."

42. Investigator Freeman spoke with Investigator Zimmer and Investigator Fullbright regarding the blocked call. Investigator Zimmer identified the male's voice as Dr. Andrew Lovell, D.O. Dr. Lovell was at the March board meeting with Dr. Lukac and appeared very upset during the meeting. Dr. Lovell demanded the minutes from the December Board Meeting from the Board staff following the meeting. (Voicemail,

Investigator Report)

43. On March 18, 2024, Dr. Lukac updated her practice address. (Online Portal)

The Board, after hearing testimony regarding Dr. Lukac's non compliance, and being fully advised, enters this **Order Assessing Administrative Penalty ("Order")** as set out below.

ORDER

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

1. The Board has jurisdiction to hear this matter pursuant to Oklahoma Osteopathic Medicine Act, Tit. 59 O.S. § 620 et seq. and the Oklahoma Administrative Procedures Act, Tit. 75 O.S. § 250 et. seq.
2. The Board concludes, by clear and convincing evidence, that Dr. Lukac is in violation of Tit. 59 O.S. § 637 (A)(4), (7), and (11).

The statutes read in relevant part: Title 59 O.S. § 637(A) The State Board of Osteopathic Examiners may refuse to admit a person to an examination or may refuse to issue or reinstate or may suspend or revoke any license issued or reinstated by the Board upon proof that the applicant or holder of such a license:
... (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
...(11). Has violated or refused to comply with a lawful order of the Board;

3. The Board concludes by clear and convincing evidence that such violations are grounds for imposing any sanction against Dr. Lukac's license to practice osteopathic medicine in the state of Oklahoma that is permitted by statute and the rules and regulations of the Board.

Therefore, it is Ordered that Dr. Lukac is to pay an Administrative Fine of one thousand dollars (\$1,000) due within 30 days of this Board Order.

It is Further Ordered that Dr. Lukac is under a no tolerance probation and must maintain full compliance with the following probation conditions:

- a. Dr. Lukac's license is still subject to the previously ordered terms and conditions.
- b. Dr. Lukac's license is restricted under a five (5) year term of **PROBATION**. Said probation may be extended or continued at the discretion of the Board.
- c. That Dr. Lukac must stay in full compliance with all terms of their current contract with the Oklahoma Health Professional Program ("OHPP"). Dr. Lukac shall sign any releases necessary for the Board to obtain any records from, or communicate with, OHPP regarding Dr. Lukac.
- d. That Dr. Lukac continue to comply with the return to practice recommendations as recommended in the Pavillon Discharge Summary of November 22, 2023, specifically:
 1. Maintain a license to practice that is in good standing.
 2. Maintain an active contract with OHPP, a Federation of State Physician Health Programs ("FSPHP") approved monitor.
 3. Demonstrate compliance with all requirements of OHPP.
 4. Attend and comply with all continuing care referrals and recommendations.
 5. Attend and demonstrate compliance with 12-step meeting attendance in cooperation with OHPP.
 6. Maintain relationships with home group and sponsor.
 7. Attends all scheduled appointments with OHPP
- e. That Dr. Lukac must appear before the Board, in person, for regular visits during the pendency of this matter as requested by the Board. The next of these

appearances will be at the June 20, 2024 regular Board Meeting. At said appearances, Order(s) may be amended.

- f. That Dr. Lukac will maintain monthly contact with her Board Compliance Officer.
- g. That Dr. Lukac shall bear the financial costs of any expenses incurred from this Order.
- h. That Dr. Lukac ensure all authorizations are fully and accurately completed and signed to release all reports, evaluations, assessments, and/or documents, directly to the Board.
- i. Board staff shall have oversight of this Order on behalf of the Board, and the authority to direct Dr. Lukac to attend scheduled meetings and provide any and all reports, evaluations, assessments, and/or documents, relevant to this matter, including but not limited to, the signing of any authorizations necessary for the release of any and all evaluations/reports directly to the Board.
- j. That Dr. Lukac monthly will maintain the Compliance Information Request Form.
- k. That Dr. Lukac will complete the Monthly Supervision Self-Report by the tenth (10th) day of each month.
- l. That Dr. Lukac is assessed an ongoing monthly Administrative Maintenance fee of one hundred dollars (\$100), due by the first day of each month and continued monthly during the pendency of any active and ongoing Board Order.
- m. That Dr. Lukac may utilize her right to consult legal counsel in connection with this inquiry by the Board known as OSBOE-2023-209, this Order, or any other inquiry by the Board.
- n. That Dr. Lukac is required to notify the Board within fourteen (14) days of any changes to legal counsel.
- o. Dr. Lukac shall provide a copy of this Order in whole with any current or potential employer.
- p. That Dr. Lukac is required to notify the Board within fourteen (14) days of any changes to their residential or practice address, email address or personal phone number.
- q. That Dr. Lukac renews their license yearly as required by the Board's statutes and rules. Failure to renew their license could result in cancellation by the Board.

- r. That Dr. Lukac maintains compliance with continuing medical education (“CME”) Credits as required by the Board’s statutes and rules.
- s. In the event Dr. Lukac leaves the State of Oklahoma to practice medicine in another jurisdiction, and surrenders their license here in Oklahoma, the terms and conditions of this Order shall be tolled.

Any violation of this Order may result in further discipline of Dr. Lukac’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, as facts may indicate 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 26 day of March, 2024.

Bret Langerman, D.O.
Bret Langerman, D.O. (Mar 26, 2024 13:46 CDT)
Bret S. Langerman, D.O.
Board President
State Board of Osteopathic Examiners

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

**IN THE MATTER OF JAMES)
MAGNUSSON, D.O., APPLICANT) Case No. 2023-184
FOR RE-ISSUE OF LICENSE)
(Osteopathic Medical License No.
2713)**

ORDER GRANTING FULL LICENSE

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners (“Board”) at a regular meeting of the Board on March 14, 2024. James Magnusson, D.O. (“Dr. Magnusson”) presented 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, after reviewing Dr. Magnusson’s previous Interim Order Tabling Application for Licensure and being fully advised, enters this Order Granting Full License.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Board that, for good cause shown, of Dr. Magnusson’s application for Licensure is hereby **GRANTED**. Dr. Magnusson’s license to practice osteopathic medicine in the State of Oklahoma is issued with the status of good standing and without any restrictions or curtailment.

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

IT IS HEREBY ORDERED AND EFFECTIVE this 26 day of March, 2024

Bret Langerman, D.O.
Bret Langerman, D.O. (Mar 26, 2024 10:35 CDT)
Bret Langerman, D.O.
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,)	
)	Case No. OSBOE 0216-26
v.)	
)	
GREG RAMPEY, D.O., Osteopathic)	
Medical License No. 3815,)	
)	
Respondent.)	

INTERIM TABLING 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 March 14, 2024. Greg Rampey, D.O., Okla. Lic. No. 3815 ("Dr. Rampey") presented with counsel, Kaylee Davis-Maddy, J.D. ("Ms. Davis-Maddy").

Kaylee Davis-Maddy, J.D. presented a Motion to Reinstate and Motion to Dismiss. Ms. Davis-Maddy gave an oral argument supporting the Motion. Dr. Rampey gave testimony outlining what has occurred in his case.

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 Tabling Order with Conditions** ("**Order**") as set out below.

ORDER

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

1. To protect the public and to determine whether he is entitled to his requested relief, Dr. Rampey shall undergo evaluation by CPEP or equivalent program for Clinical Skills and Competency. The location shall be approved by the Board Staff.
2. Dr. Rampey shall sign any and all authorizations necessary to release the findings of the evaluation directly to the Board.

3. Dr. Rampey shall be allowed to take the COMVEX Examination. Dr. Rampey shall sign any and all authorizations necessary to release the findings of the examination directly to the Board.
4. Dr. Rampey 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. Rampey's evaluation and history.
5. Following receipt of the requested documentation and information, Dr. Rampey may request to return to the Board for further consideration. Dr. Rampey will be scheduled to appear before the Board for a review of all documents and for any other issues raised by Dr. Rampey'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. Rampey'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 26 day of March 2024.

Bret Langerman, D.O.
Bret Langerman, D.O. (Mar 26, 2024 10:28 CDT)

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