

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

DATE OF MEETING December 12, 2024

PLACE OF MEETING OSU – Medical Center
744 West 9th Street
Tulsa, OK 74127

MEMBERS PRESENT Dennis J. Carter, D.O.
Chelsey Gilbertson, D.O.
Duane Koehler, D.O.
Layne Subera, D.O.
Catherine Taylor, J.D.
Katie Templeton, J.D.
D. Matt Wilkett, D.O.
LeRoy Young, D.O.

MEMBERS ABSENT

ROLL CALL TO ESTABLISH QUORUM

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

APPROVAL OF PAST MINUTES

Dr. Gilbertson asked the members of the Board if they had reviewed the minutes from the Special Board Meeting of September 26, 2024.

Dr. Koehler moved to approve the minutes as presented. Ms. Taylor seconded the motion.

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

The roll call/votes were: Dr. Carter, yes; Dr. Gilbertson, abstain; Dr. Koehler, yes; Dr. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, abstain; Dr. Young, yes.

The motion passed.

HEARING

R. Troy Lehman, D.O.

Dr. Gilbertson called the matter of R. Troy Lehman, D.O., to order. Dr. Lehman appeared in person with counsel of record, Malinda Matlock, J.D. Special Prosecutors for the Board, J. Patrick Quillian, P.C. and Matthew Becker, J.D., also appeared in person. Expert Witness, Katherine Shepherd, D.O. appeared via Teams to give testimony. It was announced that the

Respondents Motion to Strike the Supplemental Exhibit List was granted. The Hearing proceeded and exhibits were presented. Testimony was heard from both sides.

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

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

The roll call/votes were: Dr. Carter, yes; Dr. Gilbertson, abstain; Dr. Koehler, yes; Dr. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, yes; Dr. Young, yes.

The motion passed.

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

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

The roll call/votes were: Dr. Carter, yes; Dr. Gilbertson, abstain; Dr. Koehler, yes; Dr. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, yes; Dr. Young, yes.

The motion passed.

Dr. Carter moved to find that there was clear and convincing evidence to support the allegations located in the complaint, as amended.
Dr. Koehler seconded the motion.

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

The roll call/votes were: Dr. Carter, yes; Dr. Gilbertson, abstain; Dr. Koehler, yes; Dr. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, yes; Dr. Young, yes.

The motion passed.

Dr. Koehler moved to accept Dr. Lehman's statement regarding his modification in practice on the record. Additionally, Dr. Lehman shall complete an assessment regarding physician competency, at his expense, in a program approved by the Board staff within six (6) months. Dr. Lehman shall ensure the results of said assessment are released to the Board for review. Following receipt of the assessment by the Board, Dr. Lehman is to appear before the Board at its next scheduled meeting.
Dr. Carter seconded the motion.

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

The roll call/votes were: Dr. Carter, yes; Dr. Gilbertson, abstain; Dr. Koehler, yes; Dr. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, yes; Dr. Young, yes.

The motion passed.

JOINTLY PROPOSED ORDERS

Ladd Atkins, D.O.

Dr. Gilbertson called the matter of Ladd Atkins, D.O., to order. Dr. Atkins counsel of record, Steve Pontius, J.D., appeared on Dr. Atkins behalf. Executive Director for the Board, Steven Mullins, also appeared in person to present Dr. Atkins proposed order for consideration.

Ms. Templeton moved to accept the Order as proposed.
Ms. Taylor seconded the motion.

Dr. Gilbertson 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. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, yes; Dr. Young, yes.

The motion passed.

Andrew Epstein, D.O.

Dr. Gilbertson called the matter of Andrew Epstein, D.O., to order. Dr. Epstein appeared via Teams with counsel of record, Lawrence Katz, J.D. Executive Director for the Board, Steven Mullins, also appeared in person to present Dr. Epstein's proposed order for consideration.

Ms. Templeton moved to accept the Order as proposed.
Dr. Koehler seconded the motion.

Dr. Gilbertson 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. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, yes; Dr. Young, yes.

The motion passed.

Ochije Okonya, D.O.

Dr. Gilbertson called the matter of Ochije Okonya, D.O., to order. Dr. Okonya appeared in person without counsel. Executive Director for the Board, Steven Mullins, also appeared in person to present Dr. Okonya's proposed order modifying paragraph four (4) of his September 2024 Order.

Ms. Templeton moved to accept the Order as proposed.
Dr. Koehler seconded the motion.

Dr. Gilbertson 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. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, yes; Dr. Young, yes.

The motion passed.

MOTIONS TO MODIFY

Bradley Cross, D.O.

Dr. Gilbertson called the matter of Bradley Cross, D.O., to order. Dr. Cross appeared in person without counsel. Deputy Director for the Board, Beth Vincent, also appeared in person to present Dr. Cross's Motion to Modify Probation. The Board discussed Dr. Cross's request with him.

Dr. Carter moved to grant Dr. Cross's Motion to Modify his Probation and allow Dr. Cross to supervise a maximum of four (4) mid-level practitioners.
Dr. Koehler seconded the motion.

Dr. Gilbertson 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. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, yes; Dr. Young, yes.

The motion passed.

MID-LEVEL SUPERVISION REQUEST

Jodi Wiley, D.O.

Dr. Gilbertson called the matter of Jodi Wiley, D.O., to order. Dr. Wiley appeared in person and gave testimony. Deputy Director for the Board, Beth Vincent, also appeared in person to present Dr. Wiley's request to supervise one (1) additional mid-level practitioner.

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

Dr. Gilbertson 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. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, yes; Dr. Young, yes.

The motion passed.

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

Dr. Gilbertson 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. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, yes; Dr. Young, yes.

The motion passed.

Dr. Carter moved to deny Dr. Wiley's request at this time. Dr. Wiley was informed that she first needs to make a plan to safely supervise an additional practitioner before returning.
Dr. Koehler seconded the motion.

Dr. Gilbertson 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. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, yes; Dr. Young, yes.

The motion passed.

DIRECTORS APPLICATION FOR REVOCATION

Joshua Livingston, D.O.

Dr. Gilbertson called the matter of Joshua Livingston, D.O., to order. Though Dr. Livingston was given the proper notice, he was not present. Executive Director for the Board, Steven Mullins, appeared in person to present testimony regarding Dr. Livingston's non-compliance with his September 2024 Order and ask that the Board consider Revocation of Dr. Livingston's license.

Dr. Young moved to approve Director Mullins Application for Revocation of Joshua Livingston's license due to good cause shown.
Dr. Carter seconded the motion.

Dr. Gilbertson 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. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, yes; Dr. Young, yes.

The motion passed.

RATIFICATION OF APPROVED LICENSES

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Deputy Director Vincent announced that the list of licenses that had been approved since the September 2024 meeting were up for review in the Board Materials. Dr. Gilbertson asked the members of the Board if they had reviewed that ratification list.

Dr. Carter moved to ratify all licenses issued since the September 26, 2024 Board meeting.
Dr. Young seconded the motion.

Dr. Gilbertson 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. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, yes; Dr. Young, yes.

The motion passed.

CONTINUED MATTERS

It was announced that the following matter had been continued until the March 2025 meeting.

Joe Tre' Landrum, D.O.

APPROVAL OF PROPOSED RULES

Dr. Gilbertson called the matter of approval of the proposed rules and called Director Mullins to present. Director Mullins provided the Board an overview of the proposed changes to Title 510 Chapters 1, 5, and 10 and specifically pointed out the fee increase in Chapter 10. Director Mullins also announced that a public comment hearing had been held regarding these proposed changes.

Ms. Templeton moved to approve the rule changes as proposed in Title 510 Chapter 1.
Dr. Carter seconded the motion.

Dr. Gilbertson 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. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, yes; Dr. Young, yes.

The motion passed.

Dr. Young moved to approve the rule changes as proposed in Title 510 Chapter 5.
Ms. Templeton seconded the motion.

Dr. Gilbertson 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. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, yes; Dr. Young, yes.

The motion passed.

Ms. Templeton moved to amend 510:10-3-1(c)(6) to add the word “attempts” following examination.

Dr. Koehler seconded the motion.

Dr. Gilbertson 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. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, yes; Dr. Young, yes.

The motion passed.

Ms. Templeton moved to amend 510:10-3-11(4) to change the term “post graduate student” to “resident”, change “until the student” to “until the licensee”, and add in the word “scheduled” after regularly.

Dr. Koehler seconded the motion.

Dr. Gilbertson 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. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, yes; Dr. Young, yes.

The motion passed.

Ms. Templeton moved to approve the rule changes in Title 510 Chapter 10 as amended.

Dr. Koehler seconded the motion.

Dr. Gilbertson 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. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, yes; Dr. Young, yes.

The motion passed.

Dr. Young moved to approve the fee increases located in the Fee Schedule at 510:10-7-1.

Dr. Koehler seconded the motion.

Dr. Gilbertson 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. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, yes; Dr. Young, yes.

The motion passed.

Director Mullins:

Financial Report / Budget

Mr. Mullins announced that fiscal year spending was currently under budget, but with the expenses for the office move being invoiced, they would be more in line with the budget by the next quarter.

Licensure Report

Mr. Mullins stated that the licensure report shows licensing and permitting continues to grow each year at a steady pace.

Agency Investigative Report

Mr. Mullins informed the Board that the investigative report shows that the backlog of cases that existed prior to January 2024 have been worked and the last of the pre-existing cases are working toward resolution.

Discussion of FSMB

Mr. Mullins asked if anyone from the Board would like to attend the annual conference of FSMB in Seattle while Ms. Templeton is still Chair. The Board receives three scholarships, with one being the voting delegate.

Ms. Templeton moved to designate Board President, Chelsey Gilbertson, as this year's voting delegate at the conference.
Ms. Taylor seconded the motion.

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

The roll call/votes were: Dr. Carter, yes; Dr. Gilbertson, abstain; Dr. Koehler, yes; Dr. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, yes; Dr. Young, yes.

The motion passed.

EXECUTIVE SESSION

Dr. Gilbertson called for the scheduled Executive Session to discuss the below.

- Clean-up Bill Discussion
- Acupuncture Discussion
- Medical Spa Discussion
- Foreign Physician Discussion
- Governor's Licensure Executive Order Discussion

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- Discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual or employee pursuant to 25 O.S. § 307 (B)(1).

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

Dr. Gilbertson 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. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, yes; Dr. Young, yes.

The motion passed.

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

Dr. Gilbertson 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. Subera, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Wilkett, yes; Dr. Young, yes.

The motion passed.

OLD BUSINESS

No old business was discussed.

NEW BUSINESS

No new business was discussed.

ADJOURNMENT

The meeting was adjourned by consensus at 1:55 pm.