

This meeting is being held consistent with the Oklahoma Open Meeting Act and the Administrative Procedures Act. The Board may discuss, vote to approve, vote to disapprove, vote to table, change the sequence of any agenda item, or vote to strike or not discuss any agenda item.

A majority of Board Members, in a recorded vote, may call for closed deliberations for the purpose of engaging in formal deliberations leading to a decision on any Agenda item under the legal authority of Oklahoma state statutes, Article II of the Oklahoma Administrative Procedures Act, [75 O.S. § 309](#) and the Oklahoma Open Meeting Act, [25 O.S. § 307\(B\)\(8\)](#).

TEAMS CALL INFORMATION – PASSCODE IS REQUIRED

Meeting ID: 225 525 699 525

Passcode: VB3hA7az

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

AGENDA

9:00 A.M.

___ **ROLL CALL TO ESTABLISH QUORUM**

___ **APPROVAL OF PAST MINUTES** **p. 7**
Quarterly Board Meeting of 12-12-2024

COMPLIANCE
[Deputy Director Vincent]

___ **Atkins, Ladd, D.O., # 4362** **Steve Pontius, J.D.** **p. 18**
Case No. 2024-024
Compliance Report

___ **Cross, Bradley, D.O., # 6387** **p. 24**
Case No. 2023-153
Compliance Report

—	de Gaston, Daniel, D.O., # 6640 Case No. 2021-213 Compliance Report	p. 32
—	Garrison, Daniel, D.O., # 6306 Case No. 2023-009 Compliance Report	p. 38
—	Ho, Dennis, D.O., # 6672 Case No. 2021-119 Compliance Report	Elizabeth Scott, J.D. p. 44
—	Lukac, Marina, D.O., # 8354 Case No. 2023-209 Compliance Report	Elizabeth Scott, J.D. p. 51

MOTION TO MODIFY
[Deputy Director Vincent]

Motions to Modify Previous Orders by the Board will be presented by Deputy Director Vincent who will offer evidence and argument to support the recommendation from Board Staff.

—	Clymer, W. Edward, D.O., # 2777 Case No. 2021-057 Motion to Modify Order	p. 67
—	Mercer, Mary Kathryn, D.O., # 2887 Case No. 1215-148 Motion to Modify Order	p. 76
—	Howell, Clayton, D.O., # 5398 Case No. 2022-139 Motion to Modify Order	p. 88
—	Clark, Jonathan, D.O., # 3561 Case No. 2023-193 Motion to Modify and Remove Monitoring	p. 98

PROPOSED ORDER TO MODIFY LICENSE
[Deputy Director Vincent]

—	Bradshaw, Christopher, D.O., # 5189 Case No. 2023-228 Proposed Order	p. 113
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REQUEST FOR GUIDANCE OR FINAL ACTION

[Director Mullins]

____ **Miner, Kathryn, D.O.**
IMLC Application

p. 122

RATIFICATION OF APPROVED LICENSES

[Deputy Director Vincent]

The Board can either ratify, modify, or deny the attached list of licenses issued since the last Board Meeting of December 12, 2024.

____ **See page. 124**

CONTINUED MATTERS

[Director Mullins]

Pursuant to Oklahoma Administrative Code [510:1-5-4 \(b\)](#), “Any agreement to continue the hearing must be on the record at the next regularly scheduled meeting.” The following matters have been continued to the June 2025 docket to allow appropriate time for completion of discovery and time to prepare for Individual proceedings in June 2025. In addition to the Boards acknowledgment of the continuances, Director Mullins will present short summaries of the status of each investigation and discuss possible special meeting needs.

____ **Landrum, Joe Tre’, D.O., # 4310**
Case No. 1019-105
Hearing

Kanton Vaverka, J.D.

____ **Ryder, Clayton, D.O., # 5009**
Case No. 2024-114
Hearing

Paul Ross, J.D.
Curtis Thomas, J.D.

____ **Lehman, R. Troy, D.O., # 4090**
Case No. 2021-201
Hearing

Malinda S. Matlock, J.D.

AUDIT PROGRAM REPORT

[Director Mullins]

Director Mullins will introduce Auditor, Kris Johnson, to the Board and provide an update on the Audit program.

STAFF REPORTS

Director Mullins:

____ Financial Report / Budget

p. 130

___	Licensure Report	p. 132
___	Agency Investigative Report	p. 134
___	Thentia, Permitting & CE Broker –by Administrative Officer Devinney	p. 136

PROPOSED EXECUTIVE SESSION

Pursuant to the Oklahoma Open Meeting Act, [25 O.S. § 307\(B\)\(4\)](#) confidential communications between a public body and its attorney concerning a pending investigation, claim, or action, upon the advice of the attorney who determines that disclosure will seriously impair the ability of the public body from conducting an investigation, litigation, or proceeding in the public interest, a majority of Board Members, in a recorded vote, may call for an Executive Session.

- ___ Discussion of matters in litigation – Case No. 121,740
- ___ Legislative Update
- ___ Shared Services
- ___ Walmart Prescriptions
- ___ AG Opinion (OOS prescribers)
- ___ Discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual or employee pursuant to 25 O.S. § 307(B)(1)

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

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

___ **ADJOURNMENT**

ROLL CALL

APPROVAL OF PAST MINUTES

**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.
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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.
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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

OSBOE Special Meeting, December 12, 2024

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

OSBOE Special Meeting, December 12, 2024

- 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.

COMPLIANCE

LADD
ATKINS,
D.O. #4362
STEVE PONTIUS, J.D.

Findings of Fact

1. Ladd Atkins, D.O., is the holder of a license to practice as an osteopathic physician in the State of Oklahoma, license number 4362. Dr. Atkins received his license to practice as an osteopathic physician in Oklahoma from the Board in March 2016, and primarily engages in the practice of general and cosmetic surgery.
2. At all relevant times, Dr. Atkins was the owner-operator of Face and Body Wellness and Medical Spa located at 6304 E. 102nd St., Tulsa, Oklahoma 73147 (“Face and Body”), which provides services such as cosmetic surgery, Botox injections, pain pump monitoring, and hormone therapy.
3. In February 2024, Board investigators received a complaint from a former Face and Body employee who expressed concerns regarding Dr. Atkins’ sedation practices. In response to the complaint, Board investigators gathered information related thereto and obtained the assistance of an expert in anesthesiology practices.
4. After the investigation concluded, Board investigators found that that cause existed to be concerned for the safety of patients undergoing in-office surgical procedures performed by Atkins at Face and Body due to anesthesia practices and protocols that did not meet the standard of care.

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. Atkins 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. Has engaged in repeated acts of negligence, malpractice or incompetence. 59 O.S. §637(A)(4).

Orders

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. Ladd Atkins, D.O. is hereby placed on Probation for a term of two (2) years and shall comply with the following probationary terms and conditions:
 - a. Dr. Atkins shall immediately refrain from conducting all office-based surgeries involving sedation at Face and Body until Face and Body hires or contracts a CRNA or anesthesiologist to assist Dr. Atkins in all such in-office surgeries involving sedation. Dr. Atkins shall postpone or reschedule all currently scheduled surgeries at Face and Body until this condition is met.
 - b. Face and Body shall hire or contract with a CRNA or anesthesiologist by the December 12, 2024, Board meeting.
 - c. Dr. Atkins shall at all times maintain gainful employment as an osteopathic physician. Dr. Atkins shall notify the Board in writing within fourteen (14) days in the event Dr. Atkins is terminated or resigns from employment as an osteopathic physician.
 - d. Upon request, Dr. Atkins shall make himself available for one or more personal appearances before the Board or its authorized designee.
 - e. Dr. Atkins will maintain quarterly contact with his assigned Board Investigator.
 - f. Dr. Atkins shall bear the financial costs of any expenses incurred from this Order.
 - g. Board staff shall have oversight of this Order on behalf of the Board, and the authority to direct Dr. Atkins to provide any and all reports, evaluations, assessments, and/or documents, relevant to this matter, including but not limited to, any and all contracts, employment agreements, and/or pay stubs for any CRNA or anesthesiologist employed by or contracted with Face and Body.
 - h. Dr. Atkins shall complete the Compliance Information Request Form sent by Board staff within ten (10) days of receipt. Dr. Atkins shall complete Quarterly Supervision Self-Reports provided by Board Staff by the tenth (10th) day of each month.
 - i. Dr. Atkins 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.
 - j. Dr. Atkins may utilize his right to consult legal counsel in connection with this inquiry by the Board known as OSBOE-2024-024, this Order, or any other inquiry by the Board.

- k. Dr. Atkins shall notify the Board within fourteen (14) days of any changes to legal counsel.
 - l. Dr. Atkins 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. Atkins 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. Atkins shall maintain compliance with continuing medical education ("CME") Credits as required by the Board's statutes and rules.
- 3. In the event Dr. Atkins 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.
 - 4. The Board shall have the ability, in its sole discretion, to terminate the period of probation prior to the expiration of two (2) years in the event the Board is satisfied that Dr. Atkins has the necessary education, training, and expertise to safely conduct in-office surgeries without the supervision and assistance detailed above in condition (a).
 - 5. Upon successful completion of the "Procedural Sedation for Adults" course offered by the American Society of Anesthesiologists (or an alternative course approved by the Board) Dr Atkins may reapply to the Board for modification of the terms and conditions of this Order.
 - 6. 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. Atkins' 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 12th day of December, 2024.



Chelsey D. Gilbertson, D.O.
OSBOE President

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J. Patrick Quillian (Dec 13, 2024 21:10 CST)

J. PATRICK QUILLIAN, OBA #20811
PHILLIPS, COVENTON, QUILLIAN & BANNER,
PLLC
1900 NORTHWEST EXPRESSWAY, SUITE 601
OKLAHOMA CITY, OK 73118
***SPECIAL PROSECUTOR FOR
PETITIONER***



Marcus N. Ratcliff, OBA #19201
Stephen J. Pontius, OBA #33587
LATHAM, KEELE, LEHMAN,
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spontius@law-lkl.com
ATTORNEYS FOR RESPONDENT

BRADLEY
CROSS, D.O.
#6387

practitioners in accordance with established regulations for Osteopathic Physician supervision located in the OAC 510:10-4-1 et.seq.

All other provisions of the March 26, 2024 Order shall remain in effect.

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

This Order constitutes final action by the Board on the date it was announced.

IT IS HEREBY ORDERED AND EFFECTIVE this 12th day of DECEMBER 2024.

Chelsey Gilbertson, D.O.

Chelsey Gilbertson, D.O. (Dec 16, 2024 15:18 CST)

Chelsey Gilbertson, 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

CONSENT ORDER
Bradley Cross, D.O., (#6387)
OSBOE-2023-119
Page 1 of 5

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

DANIEL DE
GASTON,
D.O. # 6640

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

DANIEL
GARRISON,
D.O. # 6306

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.

DANIEL GARRISON, D.O.,
Osteopathic Medical License No.
6306,

Respondent.

JAN 10 2024

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

Case No. OSBOE-2023-009

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
ORDER OF PROBATION WITH TERMS AND CONDITIONS**

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a regular meeting of the Board on December 14, 2023. The Board is represented by the Special Prosecutor for the Board, J. Patrick Quillian. Daniel Garrison, D.O. ("Dr. Garrison") appeared in person without counsel. Lowell Robertson, M.D., of the Oklahoma Health Professionals Program ("OHPP") appeared and offered sworn testimony. The Board's Chief Investigator, Richard Zimmer, also appeared and gave sworn testimony. The parties also submitted exhibits for the Board's consideration.

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, hearing testimony, and being fully advised enters this Order of Probation with Terms and Conditions, as set out below.

FINDINGS OF FACT

ORDER OF PROBATION WITH TERMS AND CONDITIONS
Daniel Garrison, D.O. (#6306)
Case No. OSBOE-2023-009
Page 1 of 5

After reviewing the pleadings, exhibits, and hearing testimony, and being fully advised specifically the Board finds the following Findings of Fact and Conclusions of Law to be true and correct and proven by clear and convincing evidence:

1. Dr. Garrison is the holder of a license to practice osteopathic medicine in the State of Oklahoma, license number 6306. At the time this action commenced, Dr. Garrison's license was suspended by agreement.
2. Dr. Garrison received proper notice of the hearing, and a true and correct copy of the Verified Complaint ("Complaint"), as required by Oklahoma law.
3. On or about January 6, 2023, the Board was made aware Dr. Garrison was featured in a KSWO article regarding animal abuse charges in Comanche County. Two men working in West Lawton had alleged they witnessed overhearing what sounded like a dog being struck, and later witnessed a man dressed in medical scrubs disposing of a small dog by throwing it into the woods.
4. On or about January 11, 2023, Dr. Garrison's employer, Comanche County Memorial Hospital ("CCMH"), terminated his employment after a suspension that resulted from the incident and arrest.
5. On or about March 13, 2023, Dr. Garrison admitted to Board investigators to killing the dog and voluntarily entered an Agreement Not to Practice with the Board. The Agreement Not to Practice resulted in Dr. Garrison's Oklahoma license being suspended.
6. Evidence at the hearing revealed that Dr. Garrison was arrested, charged, and pled guilty to one count of cruelty to animals in Comanche County.

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.* ("Osteopathic Act"), and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et. seq.*
2. The Board concludes by clear and convincing evidence that Dr. Garrison violated the Oklahoma Osteopathic Medicine Act, specifically, Tit. 59 O.S. § 637 (A)(2), (A)(2)(f), (A)(8), (A)(13).
3. The Board also concludes that such actions are grounds for imposing any sanction against Dr. Garrison's license to practice osteopathic medicine in the State of Oklahoma that is permitted by Oklahoma law as well as the rules and regulations of the Board.

ORDER

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

1. That Dr. Garrison's license is restricted under a five (5) year term of **PROBATION**. Said Probation may be extended or continued at the discretion of the Board.
2. That Dr. Garrison must stay in full compliance with all terms of their current contract with Oklahoma Health Professional Program ("OHPP"). Dr. Garrison shall sign a release for the Board to obtain any records from, or communicate with, OHPP regarding Dr. Garrison.
3. That Dr. Garrison must appear before the Board, in person, every three (3) months during the pendency of this matter or as requested by the Board. At said

- appearances, Order(s) may be amended.
4. That Dr. Garrison will maintain monthly contact with their Board Investigator.
 5. That Dr. Garrison shall bear the financial costs of any expenses incurred from this Order.
 6. That Dr. Garrison ensure all authorizations are fully and accurately completed and signed to release all reports, evaluations, assessments, and/or documents, directly to the Board.
 7. Board staff shall have oversight of this Order on behalf of the Board, and the authority to direct Dr. Garrison 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.
 8. That Dr. Garrison complete the Compliance Information Request Form within ten (10) days of signing this Order. (Exhibit A, Compliance Information Request Form).
 9. That Dr. Garrison complete the Monthly Supervision Self-Report by the tenth (10th) day of each month. (Exhibit B, Monthly Supervision Self-Report).
 10. That Dr. Garrison 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.
 11. That Dr. Garrison may utilize their right to consult legal counsel in connection with this inquiry by the Board known as OSBOE-2023-009, this Order, or any other inquiry by the Board.
 12. That Dr. Garrison is required to notify the Board within fourteen (14) days of any changes to legal counsel.
 13. Dr. Garrison shall provide a copy of this Order in whole with any current or potential employer.
 14. That Dr. Garrison is required to notify the Board within fourteen (14) days of any changes to their residential or practice address.
 15. That Dr. Garrison is required to notify the Board within fourteen (14) days of any changes to their cell phone number.

16. That Dr. Garrison 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.
17. That Dr. Garrison maintains compliance with continuing medical education ("CME") Credits as required by the Board's statutes and rules.
18. In the event Dr. Garrison 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. Garrison'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 SO ORDERED AND EFFECTIVE this 10 day of January,
2024.

Bret Langerman, D.O.
Bret Langerman, D.O. (Jan 10, 2024 07:09 CST)
Bret S. Langerman, D.O.
Board President
State Board of Osteopathic Examiners

DENNIS HO,
D.O. #6672
ELIZABETH SCOTT, J.D.

**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

CONSENT ORDER
Dennis Ho, D.O. (#6672)
OSBOE 2021-119
Page 1 of 6

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:

CONSENT ORDER
Dennis Ho, D.O. (#6672)
OSBOE 2021-119
Page 3 of 6

- 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

MARINA
LUKAC, D.O.

8354

ELIZABETH SCOTT, J.D.

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

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

**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 MARINA)
LUKAC, D.O., APPLICANT FOR)
ISSUE OF LICENSE)
(Osteopathic Medical License No.
8354)

Case No. OSBOE-2023-209

RECEIVED/FILED

JAN 10 2024

ORDER GRANTING LICENSE WITH
TERMS AND CONDITIONS

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a regular meeting of the Board on December 14, 2023. Marina Lukac, D.O. ("Dr. Lukac") appears in person at the hearing on this date 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. Lukac's Application for Licensure and being fully advised, enters this Order Granting License with Terms and Conditions.

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

1. That 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.

2. 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.

3. That Dr. Lukac continue to comply with the return to practice recommendations as recommended in the Pavillon Discharge Summary of November 22, 2023,

specifically:

- a. Maintain a license to practice that is in good standing.
 - b. Maintain an active contract with OHPP, a Federation of State Physician Health Programs ("FSPHP") approved monitor.
 - c. Demonstrate compliance with all requirements of OHPP.
 - d. Attend and comply with all continuing care referrals and recommendations.
 - e. Attend and demonstrate compliance with 12-step meeting attendance in cooperation with OHPP.
 - f. Maintain relationships with home group and sponsor.
 - g. Attends all scheduled appointments with OHPP
4. 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 first of these appearances will be at the June 20, 2024 regular Board Meeting. At said appearances, Order(s) may be amended.
 5. That Dr. Lukac will maintain monthly contact with their Board Investigator.
 6. That Dr. Lukac shall bear the financial costs of any expenses incurred from this Order.
 7. 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.
 8. Board staff shall have oversight of this Order on behalf of the Board, and the authority to direct Dr. Lukac 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.
 9. That Dr. Lukac complete the Compliance Information Request Form within ten

- (10) days of signing this Order. (Exhibit A, Compliance Information Request Form).
10. That Dr. Lukac complete the Monthly Supervision Self-Report by the tenth (10th) day of each month. (Exhibit B, Monthly Supervision Self-Report).
 11. 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.
 12. That Dr. Lukac may utilize their 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.
 13. That Dr. Lukac is required to notify the Board within fourteen (14) days of any changes to legal counsel.
 14. Dr. Lukac shall provide a copy of this Order in whole with any current or potential employer.
 15. That Dr. Lukac is required to notify the Board within fourteen (14) days of any changes to their residential or practice address.
 16. That Dr. Lukac is required to notify the Board within fourteen (14) days of any changes to their cell phone number.
 17. 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.
 18. That Dr. Lukac maintains compliance with continuing medical education ("CME") Credits as required by the Board's statutes and rules.
 19. 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 8 day of
January , 2024.

Bret Langerman, D.O.
Bret Langerman, D.O. (Jan 10, 2024 07:09 CST)
Bret S. Langerman, D.O.
Board President
State Board of Osteopathic Examiners

MOTION TO MODIFY

W. EDWARD
CLYMER,
D.O. # 2777
MOTION TO MODIFY
ORDER

RECEIVED/FILED

FEB 07 2023

Petitioners,

Case No. 2021-57 (RZ)

Respondent.

OSBOE 2025 Q1 BOARD MATERIALS 067

Hearing and otherwise considering all evidence and argument of counsel, and being fully advised, specifically finds the following to be true and correct and proven by clear and convincing evidence:

1. That W. Edward Clymer, D.O. is the holder of a license to practice as an osteopathic physician in the State of Oklahoma, license number 2777.
2. That Dr. Clymer received proper notice of the Hearing and a true and correct copy of the Verified Complaint ("the Complaint") as required by Oklahoma law.
3. That the Board moved to strike paragraphs number 3 and 4 of the Complaint and did not submit evidence in support thereof at the Hearing.
4. That evidence at the Hearing revealed that Dr. Clymer acted unprofessionally in harassing S.T., a current patient of Dr. Clymer at all times discussed, by improperly making unwanted sexual advances towards S.T., such as inappropriately touching and kissing S.T. as well as by engaging in inappropriate conversations with S.T. during office visits and outside the office.

CONCLUSIONS OF LAW

1. The Board has jurisdiction to hear this matter under 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.
2. The Board concludes that Dr. Clymer violated Tit. 59 O.S. § 637(A)(2) and (A)(2)(h) as alleged in paragraphs 1, 2, 5, 6, 7, 8, and 9 of the Complaint.
3. The Board concludes that such violations are grounds for imposing any sanction against Dr. Clymer's license to practice osteopathic medicine in the

State of Oklahoma that is permitted by Oklahoma law as well as 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. Clymer is hereby suspended indefinitely pending completion of, and the results reported to the Board of, the following:

1. Documented evidence of an evaluation regarding the cognitive and physical abilities of Dr. Clymer by a qualified expert approved by the Board or its Executive Director;
2. Documented evidence of an evaluation regarding the clinical skills and abilities of Dr. Clymer by a qualified expert approved by the Board or its Executive Director;
3. Documented evidence of an evaluation of Dr. Clymer regarding sexual boundaries by a qualified expert approved by the Board or its Executive Director;
AND
4. Complete payment of all costs of the Board's investigation and prosecution totaling \$ 18,794.05. Dr. Clymer is to make payment arrangements for this amount with the Board's Executive Director and such costs shall be paid within one (1) year of the date of this Order.
5. Upon completion of the requirements of paragraphs one (1) through four (4), Dr. Clymer shall appear at the next regularly scheduled meeting of the Board for

FINDINGS OF FACT, CONCLUSIONS OF LAW
& ORDER OF SUSPENSION
W. Edward Clymer, D.O. (#2777)
OSBOE-2021-57
Page 3

further consideration of this matter.

IT IS FURTHER ORDERED that:

6. Paragraphs number 3 and 4 of the Complaint are stricken and shall not be considered as a part of the Board's Findings of Fact or the basis of its decision herein.
7. This Order is disseminated to all related state and federal regulatory agencies as well as to all hospitals, pharmacies, and related entities in the area where Dr. Clymer formerly practiced medicine, including but not limited to, Phoenix Medical Center in Pawnee, Oklahoma.
8. That Dr. Clymer is assessed an ongoing monthly Administrative Maintenance fee of one hundred dollars (\$100), due by the first day of each month and continues monthly during the pendency of his suspension.
9. That Dr. Clymer shall bear the financial costs of any expenses incurred from this Order.
10. That Dr. Clymer shall ensure all authorizations are signed and completed to release all reports, documents, etc., directly to the Board. The Board's Executive Director shall ensure Dr. Clymer's legal counsel is provided a copy of any documents provided to the Board.
11. That Dr. Clymer is required to notify the Board within fourteen (14) days of any changes to his residential address.
12. That Dr. Clymer is required to notify the Board within fourteen (14) days of any changes to his cell phone number.

13. That Dr. Clymer is required to notify the Board within fourteen (14) days of any changes to legal counsel.
14. That Dr. Clymer may utilize his right to consult legal counsel in connection with this inquiry by the Board known as OSBOE-2021-057, this Order, and any other inquiry by the Board.
15. That Dr. Clymer completes the Compliance Information Request Form within ten (10) days of signing this Order (Exhibit A, Compliance Information Request Form).
16. That Dr. Clymer completes the Monthly Supervision Self-Report by the tenth (10th) day of each month (Exhibit B, Monthly Supervision Self-Report).
17. That Dr. Clymer renews his license yearly as required by the Board's statutes and rules. Failure to renew your license could result in cancellation by the Board.
18. That Dr. Clymer maintains the required sixteen (16) hours per year of continuing medical education ("CME") credits as required by the Board's statutes and rules, including one (1) hour of proper prescribing if applicable.

Any violation of this Order may result in further discipline of Dr. Clymer'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.

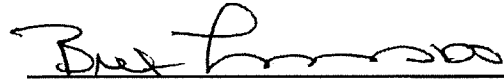
This Order may be reportable to the National Practitioner Data Bank ("NPDB") under federal law, including but not limited to, 45 CFR Part 60.

Any violation of this Order may result in a referral to the Oklahoma Attorney

FINDINGS OF FACT, CONCLUSIONS OF LAW
& ORDER OF SUSPENSION
W. Edward Clymer, D.O. (#2777)
OSBOE-2021-57
Page 5

General or an appropriate District Attorney for the unauthorized practice of osteopathic medicine in the State of Oklahoma.

IT IS SO ORDERED, ADJUDGED, AND DECREED this 7th day of February 2023.

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

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



GENTNER DRUMMOND
ATTORNEY GENERAL

RECEIVED/FILED

FEB 03 2023

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

ATTORNEY GENERAL OPINION
2023-2A

Michael T. Leake, Jr., J.D., Executive Director
State Board of Osteopathic Examiners
4848 N. Lincoln Blvd., Ste. 100
Oklahoma City, Oklahoma 73105

February 3, 2023

Re: Clymer, Case No. 2022-57

Dear Director Leake:

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 2022-57.

The Oklahoma Osteopathic Medicine Act authorizes the Board to “suspend or revoke any license issued . . . upon proof that the . . . holder of such a license . . . [h]as engaged in . . . unethical conduct or unprofessional conduct, as determined by the Board, in the performance of the functions or duties of an osteopathic physician.” 59 O.S.2021, § 637(A)(2). Further, the Board may also take action when a license holder is alleged to be “[e]ngaging in any sexual activity within a physician/patient relationship[.]” *Id.* § 637(A)(2)(h).

According to a Board complaint, in August 2022, the Board alleged that Respondent harassed a current patient of his by improperly making unwanted sexual advances, inappropriate touching and kissing the patient, and engaging in inappropriate, suggestive conversations during office visits and outside the office. And on December 18, 2022, following a hearing, the Board found that the license holder had violated the above-mentioned laws by clear and convincing evidence. The Board proposes to suspend the Respondent’s license indefinitely and require the Respondent to do as follows: (1) provide the Board with documented evidence of an evaluation regarding the Respondent’s cognitive physical abilities by a qualified expert who has been approved by the Board or its Executive Director; (2) provide the Board with documented evidence of an evaluation regard the Respondent’s clinical skills and abilities by a qualified expert who has been approved by the Board or its Executive Director; (3) provide the Board with documented evidence of an evaluation of Respondent regarding sexual boundaries by a qualified expert who has been approved by the Board or its Executive Director (4) payment of a fine and costs of investigation and prosecution; and (5) personal appearance before the Board upon completion of the four preceding requirements. 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 black ink, appearing to read "Tom Schneider", written in a cursive style.

THOMAS R. SCHNEIDER
DEPUTY GENERAL COUNSEL

MARY
KATHRYN
MERCER,
D.O. # 2887
ELIZABETH SCOTT,
J.D.

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

Petitioner,

v.

MARY KATHRYN MERCER, D.O.,
Osteopathic Medical License No.
2887,

Respondent.

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners (Board) at the regular meeting of the Board on March 14, 2024. The Board is informed by Steven K. Mullins, Executive Director, State Board of Osteopathic Examiners. Mary Kathryn Mercer, D.O. (Dr. Mercer) appears in person with counsel of record Elizabeth Scott.

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 presented information and being fully advised enters this Order of Reinstatement of License with Restrictions, as set out below.

1. The Board has a long history of dealings with Dr. Mercer beginning in 2009 with an Emergency Complaint for driving under the influence of drugs.

2. In **September 2017**, Dr. Mercer obtained a Neuropsychological Evaluation by Dr. Heyanka, Ph.D. He stated:

The patient's neuropsychological profile did not provide consistent objective evidence of a neurodegenerative disorder. However, Dr. Mercer's **"premorbid functioning was slightly abnormal as marked by dysexecutive pattern of impairments in the executive aspects of her memory, as well as mild weaknesses in executive functions** (e.g., nonverbal abstract reasoning, set shifting, complex attention, phonemic verbal fluency and significantly stronger verbal than nonverbal intellectual abilities."

3. Records from Steve B. Skarky, M.D., from **2018**, show that Dr. Mercer was diagnosed with **Adjustment Disorder, Depressive Type**. According to the Diagnostic and Statistical Manual of Mental Illnesses (DSM-5) or the latest version, the DSM-5-TR ("TR" stands for "text revision"), an Adjustment disorder with depressed mood is characterized by feelings of sadness, hopelessness, crying and lack of joy, The November 21, 2023, report by Dr. Jason Beaman indicates that this issue is currently improved or resolved.
4. In **2018** Dr. Mercer was assessed at the Mayo Clinic. The clinic notes state that Dr. Mercer had **memory complaints. She scored 2/4 on 5 min recall and per her reports had difficulty with word lists on formal more neuropsychometric evaluations**. However, based on limited examination and limited medical records, the conclusion of the clinic was that they had "seen no evidence of impairment that would indicate that she could not perform the essential functions of her job as a physician. The November 21, 2023, report by Dr. Jason Beaman indicates that

this issue is currently improved when Dr. Mercer is tested in a non-stress environment.

5. In **March 2022**, Dr. Mercer took the COMEX [Comprehensive Osteopathic Medical Licensing Examination]. Although she had been a physician for about 30 years, and did pass the examination, she **scored in the lower performance category in seven testing areas including five clinical categories.**
6. In **July 2022**, the Center for Personalized Education for Professional [CPEP]s, conducted an Assessment for Mary Kathryn Mercer, D.O. to evaluate her in internal medicine. The Assessment concluded that Dr. Mercer was “safe to practice with recommendations including a **recommendation for structured remediation and a period of oversight.**”
7. The **July 2022 CPEP evaluation** noted **multiple clinical concerns** related to Dr. Mercer and stated:

“Dr. Mercer’s **overall medical knowledge appeared to lack depth**, and she demonstrated **inadequate knowledge** in multiple areas such as initial management of acute coronary syndrome, common presentation of angina, role of beta blockers in coronary artery disease management, secondary hypertension, difference between hypertensive urgency and emergency, treatment of hyperlipidemia, diabetes mellitus management guidelines and newer medications, osteoporosis, health maintenance, anemia, indications for imaging in low back pain, treatment of recurrent gout, diagnosis of fibromyalgia, acute and chronic management of migraine headaches, urinary incontinence, management of menopausal symptoms, as well as the difference between addiction and dependence.

Dr. Mercer completed a written ECG interpretation examination. She was asked to note the rate, intervals, and axis for one normal ECG and to provide descriptions, interpretations, and course of action for ten ECG tracings representing various cardiac conditions. Her performance on this exercise was inadequate. Dr. Mercer completed one multiple-choice exam in ambulatory care. She achieved a total equated percent correct score of 66 with a percentile rank of 16. **Her performance suggests the need for further study in ambulatory care.**

Dr. Mercer's clinical judgment and reasoning, as demonstrated during this Assessment, were generally inadequate with a few exceptions.

Dr. Mercer's ability to generate broad differential diagnoses was **inadequate**. For example, her described differential diagnoses for abdominal pain, anxiety symptoms, increased somnolence, abnormal kidney function, and anemia lacked structured and were overall, incomplete.

During the interviews, Dr. Mercer **struggled to adequately recognize acuity of illness**. She failed to recognize the high-acuity condition urosepsis in a hypothetical elderly male patient with urinary tract infection. She did not recognize the acuity of illness for a scenario of chest pain and another of hypertensive urgency. She did not inquire about vital signs or physical examinations to fully assess severity of illness in one hypothetical patient with anemia and another with abnormal uterine bleeding. Dr. Mercer's described approach to a scenario of sciatica suggested that she

misjudged the situation as being higher acuity than supported by the presentation.

Dr. Mercer's hypothetical patient care was significantly impacted by her broad knowledge deficiencies. Her approaches to scenarios of diabetes, hyperlipidemia, osteoporosis, migraine headache, recurrent gout, sciatica, menopausal symptoms, urinary incontinence, and health maintenance were inadequate. In addition, **her described evaluations for hypothetical patients with chest pain, anemia, anxiety, and abnormal uterine bleeding were incomplete.**

Limited discussions about opioid prescribing were included in Dr. Mercer's Assessment, but some **concerns were identified.** **Her recommendations for opioid medications in scenarios of acute low back pain and acute gout attack were inappropriate,** according to the consultants. **Dr. Mercer also had limitations in her knowledge of the current guidelines for opioid prescribing for chronic pain management.** She did correctly recognize that review of the state prescription drug monitoring program and urine drug testing should be utilized in patients on chronic opioids and was able to discuss some non-opioid pain medications. However, she did not readily recommend nonpharmacologic therapies during discussions.

Although Dr. Mercer attempted to utilize an EMR to document her patient encounters, the **notes were incomplete and lacked sufficient detail.**

Overall, documentation was in need of improvement.

8. The July 2022 CPEP evaluation recommended the following corrective actions:

1. CPEP believes it would be best for Dr. Mercer to **first address all health and practice-related requirements** prior to attempting to engage in any educational remediation activities.
2. The following educational recommendations provide the foundation for structured remediation. Further detailed educational planning may include additional activities.
 - a. **Point of Care (PoC) Experience:** Dr. Mercer should participate in a clinical experience to provide the necessary support required as she returns to clinical practice. The PoC experience is intended to allow appropriately graduated levels of independence through periods of observation and oversight as Dr. Mercer addresses immediate practice needs.
 - b. **Educational Preceptor:** Dr. Mercer should establish a relationship with an experienced educational preceptor in internal medicine. This involves regularly scheduled meetings to review cases and documentation, discuss decisions related to those cases, review specific topics, and make plans for future learning. The preceptor serves as an educator and is not intended to function as a practice monitor.
 - c. **Continuing Medical Education (CME) and Self-Study:** Dr. Mercer should engage in CME courses in thirteen topical areas of demonstrated educational needs based on insufficient medical knowledge.
 - i. Review of internal medicine;
 - ii. Cardiology;
 - iii. Endocrinology;
 - iv. Health Maintenance and Cancer screening

- v. Rheumatology/Musculoskeletal conditions:
- vi. Mental health:
- vii. Chronic opioid prescribing:
- viii. Hematology:
- ix. Pulmonology:
- x. Neurology:
- xi. Urology:
- xii. Women's health:
- xiii. Documentation: Completion of a medical record keeping course.

Based on the demonstrated lack of clinical abilities and possible memory problems, the following shall be the Order of the Board.

ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Board that Dr. Mercer's license to practice osteopathic medicine in the State of Oklahoma is reinstated and the following restrictions and conditions shall apply:

1. May not apply for prescribing privileges from state or federal authorities.
2. May not recommend medical marijuana;
3. May not supervise any mid-level practitioner;
4. May not practice independent of a Preceptor who must hold a Doctor of Osteopathy with a demonstrated ability to mentor and instruct other physicians.
5. Preceptor must be approved by Executive Director of the Board prior to beginning supervision and training;

6. License is not eligible for renewal without prior Board approval.
7. Dr. Mercer will be subject to the following limitations during her period of supervision and training:

Clinical Plan

- a. Will be directly monitored, practicing closely with the Preceptor;
- b. Preceptor shall prepare and send to the Board a monthly report detailing the Physician's progress in clinical practice.

Didactic Plan

- a. Dr. Mercer will read, and review three (3) journal articles each week related to clinical practice and prepare a summary of each article, describing how the information will be integrated into her clinical practice. The articles must be chosen by and discussed with the Preceptor;
 - b. Dr. Mercer will prepare a Journal of the meetings with the Preceptor with the discussed articles delineated, This Journal is subject to inspection by Board Staff at any time, and without notice, during the period of supervision and training;
 - c. Dr. Mercer will submit Monthly reports to the Board outlining her clinical practice in detail. This report shall be signed by the Preceptor.
8. Provide evidence of educational courses, approved by the Preceptor in all thirteen (13) medical practice areas identified in the PRC Evaluation. Requirements must be completed within twelve months of the beginning of the Preceptorship;
 9. Must undergo another clinical evaluation from the Center for Personalized Education for Professionals (CPEP) prior to filing an application for an unrestricted license.

10. Physician must pay previously assessed administrative fees and costs of two thousand five hundred dollars (\$2,500) within thirty days of this Order;
11. Physician must pay costs of investigation accumulated to date in the amount of \$24,643.40 prior to any renewal of this conditional license.
12. That Dr. Mercer will maintain monthly contact with their Board Compliance Officer.
13. That Dr. Mercer shall bear the financial costs of any expenses incurred from this Order.
14. Board staff shall have oversight of this Order on behalf of the Board, and the authority to direct Dr. Mercer 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.
15. That Dr. Mercer complete the Compliance Information Request Form within ten (10) days of signing this Order. (Exhibit A, Compliance Information Request Form).
16. That Dr. Mercer complete the Monthly Supervision Self-Report by the tenth (10th) day of each month. (Exhibit B, Monthly Supervision Self-Report).
17. That Dr. Mercer 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.
18. That Dr. Mercer is required to notify the Board within fourteen (14) days of any changes to legal counsel.

19. Dr. Mercer shall provide a copy of this Order in whole with any current or potential Preceptor or employer.

20. That Dr. Mercer is required to notify the Board within fourteen (14) days of any changes to their residential or practice address.

21. That Dr. Mercer is required to notify the Board within fourteen (14) days of any changes to their cell phone number.

22. That Dr. Mercer maintains compliance with continuing medical education ("CME") Credits as required by the Board's statutes and rules.

23. In the event Dr. Mercer 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 discipline of Dr. Mercer'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 SO ORDERED AND EFFECTIVE this 19 day of March,
2024.

Bret Langerman, D.O.
Bret Langerman, D.O. (Mar 19, 2024 10:19 CDT)
Bret S. Langerman, D.O.
Board President
State Board of Osteopathic Examiners

CLAYTON
HOWELL,
D.O. # 5398

From: [Beth Vincent](#)
To: [Shane Howell](#)
Cc: [Kelsey Devinney](#)
Subject: RE: [EXTERNAL] NP restriction
Date: Wednesday, February 19, 2025 3:35:19 PM
Attachments: 
[image001.png](#)

Good afternoon Dr. Howell,

We have received your request and will add this to the agenda for the March 13th board Meeting. You will get official notice of the board meeting by early next week.

I recommend discussing written support from OHPP on your ability to supervise. If you get this please send it to us so we can include it for the Board to review.

Under rule 510:10-4-33 you cannot supervise with a restricted license, but the board can make exception to this based on a written request from the physician. I will base the language around that and your specific request to supervise one midlevel. I will send you some specific proposed language for the modification and get that to you the week before the board meeting for your review.

Let me know if you have any questions.

Beth Vincent

Deputy Director

Oklahoma State Board of Osteopathic Examiners

5400 N. Grand Blvd., Suite 130

Oklahoma City, OK 73112

405.724.8475



From: Shane Howell 
Sent: Monday, February 17, 2025 12:40 PM
To: Beth Vincent <Beth.Vincent@osboe.ok.gov>
Subject: [EXTERNAL] NP restriction

Hello Beth,

Per our recent conversation I would like to request to drop the NP restriction. I would like the motion to say:

To whom it may concern,

I am making a motion to request dropping the nurse practitioner supervision restriction on my license. This will allow my clinic system to provide care for more patients.

This sounds so generic so I am open to any suggestions to change it, I meet with OHPP on the 25th so I might change the wording after that, I just wanted to get something on the books that I am requesting the change.

Thank you so much,
Clayton "Shane" Howell

[Sent from Yahoo Mail for iPhone](#)

per week shall be modified to allow moonlighting of twenty-four (24) additional hours per calendar month, provided there is no evidence it is leading to any slippage in his recovery meetings, therapy, or testing compliance.

All other provisions of the January 17, 2024 Order shall remain in effect.

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

IT IS HEREBY ORDERED AND EFFECTIVE this 26th day of September, 2024.



Katie Templeton, J.D. (Sep 30, 2024 16:46 CDT)

Katie Templeton, J.D.
Acting 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.
OKLAHOMA STATE BOARD OF
OSTEOPATHIC EXAMINERS,

Petitioner,

v.

CLAYTON HOWELL, D.O.,
Osteopathic Medical License No.
5398,

Respondent.

Case No. OSBOE-2022-139

JAN 17 2024

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
ORDER OF PROBATION WITH TERMS AND CONDITIONS**

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a regular meeting of the Board on December 14, 2023. The Board is represented by the Special Prosecutor for the Board, J. Patrick Quillian. Clayton Howell, D.O. ("Dr. Howell") appeared in person at the hearing on this date represented by legal counsel, Kaylee Davis-Maddy, J.D. Lowell Robertson, M.D., of the Oklahoma Health Professionals Program ("OHPP") appeared and offered sworn testimony. The Board's Chief Investigator, Richard Zimmer, also appeared and gave sworn testimony. Exhibits were submitted for the Board's consideration.

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, hearing testimony, and being fully advised enters this Order of Probation with Terms and Conditions, as set out below.

FINDINGS OF FACT

ORDER OF PROBATION WITH TERMS AND CONDITIONS
Clayton Howell, D.O. (#5398)
Case No. 2022-139
Page 1 of 5

After reviewing the pleadings, exhibits, and hearing testimony, and being fully advised specifically the Board finds the following Findings of Fact and Conclusions of Law to be true and correct and proven by clear and convincing evidence:

1. Dr. Howell is the holder of a license to practice osteopathic medicine in the State of Oklahoma, license number 5398. At the time this action commenced, Dr. Howell's license was suspended by agreement.
2. Dr. Howell received proper notice of the hearing, and a true and correct copy of the Verified Complaint ("Complaint"), as required by Oklahoma law.
3. That the Board moved to strike paragraph number 7 of the Complaint and did not submit evidence in support thereof at the Hearing.
4. That evidence at the hearing revealed Dr. Howell was T.E., patient, Primary Care Physician (PCP) from April 2019 to January 2022. Dr. Howell engaged in a sexual relationship with patient T.E from November 2021 to January 2022 while T.E. was his patient. Dr. Howell terminated T.E. as a patient in January 2022.
5. On or about November 16, 2022, the Board filed a Complaint and Citation and Notice of Hearing to Dr. Howell regarding his engagement in sexual activity within the physician/patient relationship.
6. On or about December 20, 2022, Dr. Howell voluntarily entered an Agreement Not to Practice with the Board.

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.* ("Osteopathic Act"), and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et. seq.*

2. The Board concludes by clear and convincing evidence that Dr. Howell violated the Oklahoma Osteopathic Medicine Act, specifically, Tit. 59 O.S. § 637 (A)(2), and (A)(2)(h).
3. The Board also concludes that such actions are grounds for imposing any sanction against Dr. Howell's license to practice osteopathic medicine in the State of Oklahoma that is permitted by Oklahoma law as well as the rules and regulations of the Board.

ORDER

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

1. That Dr. Howell's license is restricted under a five (5) year term of **PROBATION**. Said Probation may be extended or continued at the discretion of the Board.
2. That Dr. Howell shall complete all twenty (20) of the recommendations listed in their Professional Renewal Center ("PRC") Treatment Report from their discharge on June 8, 2023.
3. That Dr. Howell must appear before the Board, in person, every three (3) months during the pendency of this matter or as requested by the Board. At said appearances, Order(s) may be amended.
4. Paragraph number 7 of the Complaint is stricken and shall not be considered as a part of the Board's Findings of Fact or the basis of its decision herein.
5. That Dr. Howell will maintain monthly contact with their Board Investigator.
6. That Dr. Howell shall bear the financial costs of any expenses incurred from this Order.
7. That Dr. Howell ensure all authorizations are fully and accurately completed and signed to release all reports, evaluations, assessments, and/or documents, directly

to the Board. The Board's Executive Director will provide Dr. Howell's legal counsel a copy of any documents received by the Board regarding same.

8. Board staff shall have oversight of this Order on behalf of the Board, and the authority to direct Dr. Howell 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.
9. That Dr. Howell complete the Compliance Information Request Form within ten (10) days of signing this Order. (Exhibit A, Compliance Information Request Form).
10. That Dr. Howell complete the Monthly Supervision Self-Report by the tenth (10th) day of each month. (Exhibit B, Monthly Supervision Self-Report).
11. That Dr. Howell 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.
12. That Dr. Howell may utilize their right to consult legal counsel in connection with this inquiry by the Board known as OSBOE-2022-139, this Order, or any other inquiry by the Board.
13. That Dr. Howell is required to notify the Board within fourteen (14) days of any changes to legal counsel.
14. Dr. Howell shall provide a copy of this Order in whole with any current or potential employer.
15. That Dr. Howell is required to notify the Board within fourteen (14) days of any changes to their residential or practice address.
16. That Dr. Howell is required to notify the Board within fourteen (14) days of any changes to their cell phone number.
17. That Dr. Howell 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.
18. That Dr. Howell maintains compliance with continuing medical education ("CME") Credits as required by the Board's statutes and rules.
19. In the event Dr. Howell 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. Howell'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 SO ORDERED AND EFFECTIVE this 16 day of January,
2024.

Bret Langerman, DO
Bret Langerman, DO (Jan 16, 2024 13:19 CST)

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

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

Ms. Kaylee P. Davis-Maddy, J.D.
Doerner Sanders Daniel & Anderson
210 Park Avenue, Suite 1200
Oklahoma City, OK 74102
405-319-3513
405-319-3524 (Facsimile)
kmaddy@dsda.com

Attorney for Respondent,
Clayton Howell, D.O.

JONATHAN
CLARK, D.O.
3561

From: [Kelsey Devinney](#)
To: [Kelsey Devinney](#)
Subject: FW: [EXTERNAL] Jonathan Clark request to board
Date: Friday, March 7, 2025 9:25:53 AM

From: Elizabeth Fullbright <Elizabeth.Fullbright@osboe.ok.gov>
Sent: Monday, February 24, 2025 8:39 AM
To: Beth Vincent <Beth.Vincent@osboe.ok.gov>; [REDACTED]
Subject: FW: [EXTERNAL] Jonathan Clark request to board

Beth,

Please see the below revision request. Thank you, Dr. Clark!

From: clark scott [REDACTED]
Sent: Monday, February 24, 2025 8:34 AM
To: Elizabeth Fullbright <Elizabeth.Fullbright@osboe.ok.gov>
Subject: [EXTERNAL] Jonathan Clark request to board

Hello,

Bellow I have submitted my requested revision of the board notes from the meeting I attended Dec 2023.

On or about October 11, 2023, Dr. Clark self-reported to the Board regarding bulk purchases made to McKesson Corporation for controlled dangerous substances ("CDS") as part of medical mission work to Guatemala. Dr. Clark also self-reported that he had on occasion dispensed Xanax for his wife and Ambien for himself when their normal prescriptions for those controlled drugs could not be immediately refilled.

**Thanks,
Scott Clark**

From: [Kelsey Devinney](#)
To: [Kelsey Devinney](#)
Subject: FW: [EXTERNAL] Re: OSBOE Compliance Officer Changes
Date: Friday, March 7, 2025 9:23:22 AM
Attachments: [image002.png](#)
[image003.png](#)

From: clark scott [REDACTED]
Sent: Monday, December 2, 2024 2:44 PM
To: Beth Vincent <Beth.Vincent@osboe.ok.gov>
Subject: [EXTERNAL] Re: OSBOE Compliance Officer Changes

Thank you for your info. I'm unsure what you know about my case but I have completed my board requirements and am awaiting a time and date to go back before the board. Any information you can give me on what I need to do to proceed is greatly appreciated

[Sent from Yahoo Mail for iPhone](#)

On Monday, December 2, 2024, 2:16 PM, Beth Vincent <Beth.Vincent@osboe.ok.gov> wrote:

Good afternoon,

I wanted to introduce myself and make sure you have my direct contract information. My information is listed below. If you call and I am unavailable, please leave a voice message. You can also send me a quick email and I will be happy to return your call.

Thanks,

Beth Vincent

Deputy Director

Oklahoma State Board of Osteopathic Examiners

5400 N. Grand Blvd., Suite 130

Oklahoma City, OK 73112

405.724.8475



From: Joshua Freeman <Joshua.Freeman@osboe.ok.gov>
Sent: Monday, December 2, 2024 9:26 AM
To: Beth Vincent <Beth.Vincent@osboe.ok.gov>
Subject: FW: OSBOE Compliance Officer Changes

Hello Doctors,

I will no longer be handling compliance cases. The cases are being taken over by our Deputy Director, Beth Vincent, who I've CC'd in this email. She will be your contact for any compliance issues from this point on. Please keep in mind your monthly Board Order obligations and turn them into her on time. The standard probationary terms are generally a monthly phone call, a monthly monitor report, and your monthly fee. By this point, you should know what your obligations are. Below is the link for compliance forms again.

<https://oklahoma.gov/osboe/forms.html> for Compliance Forms

Thank you.

Joshua Freeman | Special Investigator

State Board of Osteopathic Examiners (Our new office address is below)

5400 Grand Boulevard, Ste. 130 Oklahoma City, Oklahoma 73105

Office: 405-528-8625 | Direct: 405-724-9323 | Cell: 405-778-4939

Email: Joshua.Freeman@osboe.ok.gov

<https://oklahoma.gov/osboe/forms.html> for Compliance Forms





SCHOOL OF MEDICINE

CASE WESTERN RESERVE
UNIVERSITY

RECEIVED/FILED

DEC 09 2024

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

ATTN Beth Vincent

405-557-0653

Physician Continuing Medical Education Certificate

Case Western Reserve University School of Medicine certifies that

Jonathan S Clark, DO

has participated in the Live Activity titled

Intensive Course in Controlled Substance Prescribing

on May 6, 2024 - May 8, 2024

and is awarded 23.75 AMA PRA Category 1 Credit(s)[™]
toward the AMA Physician's Recognition Award

Case Western Reserve University School of Medicine is accredited by the ACCME to provide continuing medical education for physicians.

Case Western Reserve University School of Medicine designates this Live Activity for a maximum of 23.75 AMA PRA Category 1 Credit(s)[™]. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

Ted Parran, MD, FACP
CME Program Medical Director

Continuing Medical Education Program
10524 Euclid Avenue, Cleveland, OH 44106-6026
Tel: 216-983-1239 • Fax: 216-201-6749 • <https://case.edu/medicine/cme/>



CASE WESTERN RESERVE
UNIVERSITY
School of Medicine

Physician Continuing Medical Education Certificate

Case Western Reserve University School of Medicine certifies that

Jonathan S Clark, DO

has participated in the Live Activity titled

Intensive Course in Medical Ethics, Boundaries and Professionalism

on September 19, 2024 - September 20, 2024

and is awarded 15.25 *AMA PRA Category 1 Credit(s)*™
toward the AMA Physician's Recognition Award

Case Western Reserve University School of Medicine is accredited by the ACCME to provide continuing medical education for physicians.

Case Western Reserve University School of Medicine designates this Live Activity for a maximum of 15.25 *AMA PRA Category 1 Credit(s)*™. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

Ted Parran, MD, FACP
CME Program Medical Director

Continuing Medical Education Program
10524 Euclid Avenue, Cleveland, OH 44106-6026
Tel: 216-983-1239 • Fax: 216-201-6749 • <https://case.edu/medicine/cme/>

Attn: Beth Vinco

Attn: Beth Vincent



SCHOOL OF MEDICINE

CASE WESTERN RESERVE
UNIVERSITY

Physician Continuing Medical Education Certificate

Case Western Reserve University School of Medicine certifies that

Jonathan S Clark, DO

has participated in the Live Activity titled

Intensive Course in Medical Documentation: Clinical, Legal and Economic Implications for Healthcare Providers

on March 7, 2024 - March 8, 2024

and is awarded 14.50 *AMA PRA Category 1 Credit(s)*[™]
toward the AMA Physician's Recognition Award

Case Western Reserve University School of Medicine is accredited by the ACCME to provide continuing medical education for physicians.

Case Western Reserve University School of Medicine designates this Live Activity for a maximum of 15.00 *AMA PRA Category 1 Credit(s)*[™]. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

A handwritten signature in black ink, appearing to read "Ted Parran MD".

Ted Parran, MD, FACP
CME Program Medical Director

Continuing Medical Education Program
10524 Euclid Avenue, Cleveland, OH 44106-6026
Tel: 216-983-1239 • Fax: 216-201-6749 • <https://case.edu/medicine/cme/>

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

RECEIVED/FILED

JAN 10 2024

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

Petitioner,

v.

JONATHAN CLARK, D.O.,
Osteopathic Medical License No.
3561,

Respondent.

Case No. OSBOE-2023-193

OKLA. BOARD OF
OSTEOPATHIC EXAMINERS

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
ORDER OF MONITORING WITH TERMS AND CONDITIONS**

This matter comes on for consideration before the Oklahoma State Board of Osteopathic Examiners ("Board") at a regular meeting of the Board on December 14, 2023. The Board is represented by the Special Prosecutor for the Board, J. Patrick Quillian. Jonathan Clark, D.O. ("Dr. Clark") appeared in person at the hearing on this date without counsel. The Board's Special Investigator, Elizabeth Fullbright, also appeared and gave sworn testimony. The parties also submitted exhibits for the Board's consideration.

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, hearing testimony, and being fully advised enters this Order of Monitoring with Terms and Conditions, as set out below.

FINDINGS OF FACT

After reviewing the pleadings, exhibits, and hearing testimony, and being fully

ORDER OF MONITORING WITH TERMS AND CONDITIONS
Jonathan Clark, D.O. (#3561)
Case No. 2023-193
Page 1 of 6

advised specifically the Board finds the following Findings of Fact and Conclusions of Law to be true and correct and proven by clear and convincing evidence:

1. Dr. Clark is the holder of a license to practice osteopathic medicine in the State of Oklahoma, license number 3561. At the time this action commenced, the license was unrestricted and in good standing.
2. Dr. Clark received proper notice of the hearing, and a true and correct copy of the Verified Complaint ("Complaint"), as required by Oklahoma law.
3. On or about October 11, 2023, Dr. Clark self-reported to the Board regarding bulk purchases made to McKesson Corporation for controlled dangerous substances ("CDS"), such as Xanax and Ambien for his and his wife's use. Later explaining that these purchases were to save money on their medication expenses.
4. Evidence at the hearing revealed that Dr. Clark dispensed CDS in violation of state and federal prescribing laws by directly purchasing CDS for his and his wife's personal use.

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.* ("Osteopathic Act"), and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et. seq.*
2. The Board concludes by clear and convincing evidence that Dr. Clark violated the Oklahoma Osteopathic Medicine Act, specifically, Tit. 59 O.S. § 637 (A)(2), (A)(2)(g), and (A)(6).
3. The Board also concludes that such actions are grounds for imposing any sanction against Dr. Clark's license to practice osteopathic medicine in the State of

Oklahoma that is permitted by Oklahoma law as well as the rules and regulations of the Board.

ORDER

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

1. That Dr. Clark's license is placed under **MONITORING** until such a time as Dr. Clark provides successful completion of the following terms:
2. Within the next twelve (12) months, Dr. Clark shall successfully complete a course regarding the Proper Prescribing of Controlled Substances. 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. Clark. Board Staff shall have approval over the provider, length and content of the program. Dr. Clark shall furnish to the Board evidence of successful completion of the course.
3. Within the next twelve (12) months, Dr. Clark shall successfully complete a course in Ethics for Medical Professionals. 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. Clark. Board Staff shall have approval over the provider, length and content of the program. Dr. Clark shall furnish to the Board evidence of successful completion of the course.
4. Within the next twelve (12) months, Dr. Clark shall successfully complete a course in Medical Record Keeping. 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. Clark. Board Staff shall have approval over the provider, length and content of the program. Dr. Clark shall furnish to the Board evidence of successful completion of the course.

5. Upon completion of the requirements of paragraphs two (2) through four (4), Dr. Clark shall appear at the next regularly scheduled meeting of the Board for further consideration of this matter.
6. That Dr. Clark shall bear the financial costs of any expenses incurred from this Order.
7. That Dr. Clark ensure all authorizations are fully and accurately completed and signed to release all reports, evaluations, assessments, and/or documents, directly to the Board.
8. Board staff shall have oversight of this Order on behalf of the Board, and the authority to direct Dr. Clark 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.
9. That Dr. Clark complete the Compliance Information Request Form within ten (10) days of signing this Order. (Exhibit A, Compliance Information Request Form).
10. That Dr. Clark complete the Monthly Supervision Self-Report by the tenth (10th) day of each month. (Exhibit B, Monthly Supervision Self-Report).
11. That Dr. Clark may utilize their right to consult legal counsel in connection with this inquiry by the Board known as OSBOE-2023-193, this Order, or any other inquiry by the Board.

12. That Dr. Clark is required to notify the Board within fourteen (14) days of any changes to legal counsel.
13. Dr. Clark shall provide a copy of this Order in whole with any current or potential employer.
14. That Dr. Clark is required to notify the Board within fourteen (14) days of any changes to their residential or practice address.
15. That Dr. Clark is required to notify the Board within fourteen (14) days of any changes to their cell phone number.
16. That Dr. Clark 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.
17. That Dr. Clark maintains compliance with continuing medical education ("CME") Credits as required by the Board's statutes and rules.
18. In the event Dr. Clark 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. Clark'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 SO ORDERED AND EFFECTIVE this 10 day of January,
2024.

Bret Langerman, D.O.
Bret Langerman, D.O. (Jan 10, 2024 07:09 CST)

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

PROPOSED ORDER TO MODIFY LICENSE

CHRISTOPHER
BRADSHAW,
D.O. # 5189

To the medical board of osteopathic examiners:

I am humbly writing to you today to respectfully request the reinstatement of my privileges to practice medicine in the state of Oklahoma. For the past 90 days (three months) I have been undergoing intensive inpatient treatment to address my struggle with chronic prescription dependency. This period has been one of profound change, reflection + growth for me.

During my time in treatment, I have participated in daily therapy sessions, both in group settings as well as one-on-one, to confront and manage mental health issues that have significantly contributed to my condition. The overwhelming support and guidance I have received at FRC have been instrumental in helping me better understand the underlying causes of my dependence on my prescription and helping develop a tool set needed to maintain long term sobriety.

This journey has afforded me the opportunity to engage in a deep introspection, allowing me to confront my past behaviors and decisions that led to the suspension of my medical privileges. I fully acknowledge the gravity of my actions as well as the impact they have had on my

professional life + my community.

As I continue to work on my recovery, I am more committed than ever to upholding the highest standards of medical practice, I have learned valuable tools during this challenging time, and I am determined to apply these lessons to become a better physician, colleague and person/parent.

I respectfully ask the board to please consider my request for reinstatement, recognizing the sincere efforts I have made towards recovery as well as my ongoing commitment I have to maintaining my sobriety. I am eager to return to my calling of serving rural communities of Oklahoma & the dedication and care they deserve.

Respectfully

Dr. Christopher Bradshaw

A handwritten signature in dark ink, appearing to be "Dr. Christopher Bradshaw", written over a horizontal line.

voluntarily waived his right to a full hearing, and through settlement, submitted himself to the jurisdiction of the Board. The Respondent agreed to abide by the terms and conditions of this Order.

As part of the settlement, 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. Christopher Bradshaw, D.O., is the holder of a license to practice as an osteopathic physician in the State of Oklahoma, license number 5189. Dr. Bradshaw received his license to practice osteopathic medicine in Oklahoma on July 1, 2012, and primarily practices in emergency medicine.
2. The Board finds that Dr. Bradshaw has violated the Act, in one or more of the following ways, by: (1) engaging in unprofessional and unethical conduct in his duties as an osteopathic physician, to wit: diverting and/or retaining CDS prescribed to patients to himself, abusing CDS at his place of employment and otherwise, leaving the emergency room unattended, mishandling confidential patient documentation and information, and being unwilling to see emergency room patients in person; (2) violating state and federal law on controlled dangerous substances, to wit: diverting and retaining CDS prescribed to patients; (3) being incapable of discharging the functions of an osteopathic physician in a manner consistent with the public's health, safety, and welfare, to wit: being unable to safely practice osteopathic medicine due to being addicted to Percocet and/or other CDS; and (4) being guilty of habitual addiction to habit-forming drugs, to wit: being addicted to Percocet and/or other CDS.

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. The Board finds the complaint and the parties' agreement of a violation of 59 O.S. § 620 et seq., is sufficient for a penalty of suspension of license to practice medicine as an osteopathic physician in Oklahoma.
4. Dr. Bradshaw is in violation of the Oklahoma Osteopathic Medicine Act (the "Act"), Tit. 59 O.S. § 637(A)(2), (A)(2)(g), (A)(8), and (A)(12) 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.

ORDERS

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

1. The Board hereby adopts the Settlement Agreement of the Parties in this Consent Order.
2. Respondent's license will be suspended until such time as certain conditions outlined in the Order have been fully completed.
3. Respondent shall immediately enter into an agreement with Oklahoma Health Practitioner Program ("OHPP") to monitor for drug use. Any breach of the agreement of the OHPP agreement conditions shall constitute grounds for a complaint for revocation of the Respondent's license. Respondent shall sign a standard contract with OHPP. Respondent shall abide by all recommendations of

ORDER OF SUSPENSION OF LICENSE
Christopher Bradshaw, D.O. (5189)
OSBOE-2023-101
Page 3 of 5

OHPP.

4. 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.
5. Respondent shall enter into an agreement with the University of Florida Recovery Center (SHANDS), in Gainesville, FL, or Pavillon Treatment Center, 241 Pavillon Place, Mill Springs, NC, for in-patient treatment. Such treatment shall begin not later than September 1, 2024.
6. Following discharge from the in-patient facility mentioned in five (5) above, the Respondent shall appear at the next meeting of the Board. At that time, the Board shall determine if additional conditions shall be placed on the suspension order. This may include an assessment of clinical skills and fitness to practice conducted by a testing facility designated by the Board.
7. Respondent will maintain monthly contact with his assigned Board Investigator.
8. Respondent shall complete Quarterly Supervision Self-Reports provided by Board Staff by the tenth (10th) day of each month.
9. Respondent shall ensure that all authorizations to release all records, reports, documents and attachments directly to the Board are signed and completed.
10. 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.
11. Respondent will keep the Board informed of his current home and email address, as well as cell phone number.
12. Upon request, Respondent shall make himself available for one or more personal appearances before the Board or its authorized designee.
13. This Order shall not guarantee that Oklahoma Osteopathic Medical License of the Respondent will be reissued to the Respondent.
14. Respondent shall bear the financial costs of any expenses incurred from this Order.

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 SO ORDERED AND EFFECTIVE this 20 day of June, 2024.

Chelsey D. Gilbertson
Chelsey D. Gilbertson (Jun 25, 2024 12:13 CDT)

Chelsey D. Gilbertson, D.O.
Board President
State Board of Osteopathic Examiners

REQUEST FOR GUIDANCE OR FINAL ACTION

KATHRYN
MINER, D.O.
IMLC APPLICATION



Oklahoma State Board of Osteopathic Examiners

MEMORANDUM

FROM: Christi Aquino, Director of Licensing

TO: Board Members

DATE: Feb. 27, 2025

SUBJECT: Kathryn Miner, D.O. – Applicant for License through IMLC

Dr. Kathryn Miner submitted her application for licensure on Dec. 28, 2022. Dr. Miner answered ‘no’ on her pre-license questions about having malpractice, and she did have one for \$2 million. She is trying to get licensed now through the IMLC. Here is a timeline for you to review.

6/15/2008 – Graduated from KCUMB Medical School.

7/01/2008 – 6/2011 – Started and completed Emergency Medicine residency at the University of Iowa Hospital and Clinics. She was licensed in Missouri.

11/19/2012 – Dr. Miner is board-certified in Emergency Medicine. **(AOA profile pg. 052)**

8/01/2011 – 11/27/2022 – Dr. Miner worked at Metro Emergency Physicians in Kansas City, MO, in the Emergency Dept.

12/01/2016 – present – Dr. Miner has worked at least six (6) other facilities. **(pg. 001)**

12/28/2022 – Dr. Miner submitted her application for licensure and answered “no” on all pre-license questions and was asked to explain this. **(pg. 002-004)**

2/01/2023—Dr. Miner was notified to appear before the Board regarding her \$2 million malpractice suit. She responded but said she would do it on a virtual platform.

3/03/2023 – Notice to Appear was sent to Dr. Miner. **(pg. 005-006)**

3/13/2023 – Dr. Miner emailed that she was no longer interested and would no longer be meeting with the Board. The Board meeting was the same week, on March 16th, 2023. **(pg. 007)**

11/28/2023—Dr. Miner was reported to the data bank with a new report for failing to diagnose and treat a pseudoaneurysm. **(pg. 008-014)**

2/20/2025—Dr. Miner applied for an OK license through the IMLC, with Missouri as her state of principal license (SPL). This is on hold until she appears before the Board. **(pg. 015-022)**

RATIFICATION OF APPROVED LICENSES

Approved Licenses for Ratification - 12/7/2024 to 3/6/2025

#	Licensee/Applicant	License Number	License Category	License Status	License Type	Initial Licensure Date	License Expiry Date
1	Willard Howard	8863	Osteopathic Physician and Surgeon	Active	In State	12/9/2024	6/30/2025
2	Tony Thrasher	8864	Osteopathic Physician and Surgeon	Active	In State	12/13/2024	6/30/2025
3	Ami Attali	8865	Osteopathic Physician and Surgeon	Active	Out of State	12/16/2024	6/30/2025
4	Laura Peck	8866	Osteopathic Physician and Surgeon	Active	Out of State	12/31/2024	6/30/2025
5	Jonathan Marshall	8867	Osteopathic Physician and Surgeon	Active	In State	12/31/2024	6/30/2025
6	Joseph Quercia	8868	Osteopathic Physician and Surgeon	Active	In State	12/31/2024	6/30/2025
7	Wayne Sherman	8869	Osteopathic Physician and Surgeon	Active	In State	12/31/2024	6/30/2025
8	Westley Carter	8870	Osteopathic Physician and Surgeon	Active	In State	12/31/2024	6/30/2025
9	Bhuvaneshwari Dakshinamoorthy	8871	Osteopathic Physician and Surgeon	Active	Out of State	1/3/2025	6/30/2025
10	Gregory Gatchell	8872	Osteopathic Physician and Surgeon	Active	Out of State	1/3/2025	6/30/2025
11	Joshua Tennenbaum	8873	Osteopathic Physician and Surgeon	Active	Out of State	1/3/2025	6/30/2025
12	Samir Ruxmohan	8874	Osteopathic Physician and Surgeon	Active	Out of State	1/3/2025	6/30/2025
13	Debra Acerenza	8875	Osteopathic Physician and Surgeon	Active	Out of State	1/3/2025	6/30/2025
14	Robert Scanlon	8876	Osteopathic Physician and Surgeon	Active	Out of State	1/3/2025	6/30/2025
15	Jamie Morgan Fernan	8877	Osteopathic Physician and Surgeon	Active	In State	1/3/2025	6/30/2025
16	Al Mamaril	8878	Osteopathic Physician and Surgeon	Active	In State	1/6/2025	6/30/2025
17	Randy Gould	8879	Osteopathic Physician and Surgeon	Active	In State	1/6/2025	6/30/2025
18	Donna Dooley	8880	Osteopathic Physician and Surgeon	Active	In State	1/6/2025	6/30/2025
19	Rachel Grubbs	8881	Osteopathic Physician and Surgeon	Active	Resident / Fellow	1/7/2025	6/30/2025
20	Imre Kocsis	8882	Osteopathic Physician and Surgeon	Active	In State	1/8/2025	6/30/2025
21	Anne Miller	8883	Osteopathic Physician and Surgeon	Active	Out of State	1/13/2025	6/30/2025
22	Jason Boulware	8884	Osteopathic Physician and Surgeon	Active	Out of State	1/13/2025	6/30/2025
23	Nikole Funk	8885	Osteopathic Physician and Surgeon	Active	Out of State	1/13/2025	6/30/2025
24	Erik Nelson	8886	Osteopathic Physician and Surgeon	Active	Out of State	1/14/2025	6/30/2025
25	Emily Hayden	8887	Osteopathic Physician and Surgeon	Active	Out of State	1/14/2025	6/30/2025
26	Eric Fete	8888	Osteopathic Physician and Surgeon	Active	Out of State	1/14/2025	6/30/2025
27	Daniel Fisher	8889	Osteopathic Physician and Surgeon	Active	Out of State	1/14/2025	6/30/2025
28	Daniel Passerman	8890	Osteopathic Physician and Surgeon	Active	Out of State	1/15/2025	6/30/2025
29	Anthony Cooper	8891	Osteopathic Physician and Surgeon	Active	In State	1/16/2025	6/30/2025
30	Michael Cellini	8892	Osteopathic Physician and Surgeon	Active	Out of State	1/16/2025	6/30/2025
31	Denny Sachariah Thomas	6059	Osteopathic Physician and Surgeon	Active	Out of State	1/17/2025	6/30/2025
32	Jeremy Havas	8893	Osteopathic Physician and Surgeon	Active	Out of State	1/23/2025	6/30/2025
33	Brandon Elrod	8894	Osteopathic Physician and Surgeon	Active	Out of State	1/23/2025	6/30/2025
34	Lucas Sittner	8895	Osteopathic Physician and Surgeon	Active	Out of State	1/23/2025	6/30/2025
35	Nathalie Nguyen	8896	Osteopathic Physician and Surgeon	Active	Out of State	1/23/2025	6/30/2025
36	Kristy Linder	8897	Osteopathic Physician and Surgeon	Active	Out of State	1/27/2025	6/30/2025
37	Terry Ford	8898	Osteopathic Physician and Surgeon	Active	Out of State	1/27/2025	6/30/2025
38	Cade Lampley	8899	Osteopathic Physician and Surgeon	Active	Out of State	1/27/2025	6/30/2025
39	Matthew Bentley	8900	Osteopathic Physician and Surgeon	Active	Out of State	1/27/2025	6/30/2025
40	Dylan Trujillo	8901	Osteopathic Physician and Surgeon	Active	In State	1/29/2025	6/30/2025
41	Daniel Witewicz	8902	Osteopathic Physician and Surgeon	Active	Out of State	1/29/2025	6/30/2025
42	Joshua Ewell	8903	Osteopathic Physician and Surgeon	Active	Out of State	1/29/2025	6/30/2025
43	Jacob Crawford	8904	Osteopathic Physician and Surgeon	Active	In State	1/30/2025	6/30/2025
44	Daniel Shields	6495	Osteopathic Physician and Surgeon	Active	Out of State	2/5/2025	6/30/2025
45	Corbit Bayliff	8905	Osteopathic Physician and Surgeon	Active	In State	2/5/2025	6/30/2025
46	Christopher John	8906	Osteopathic Physician and Surgeon	Active	Out of State	2/5/2025	6/30/2025

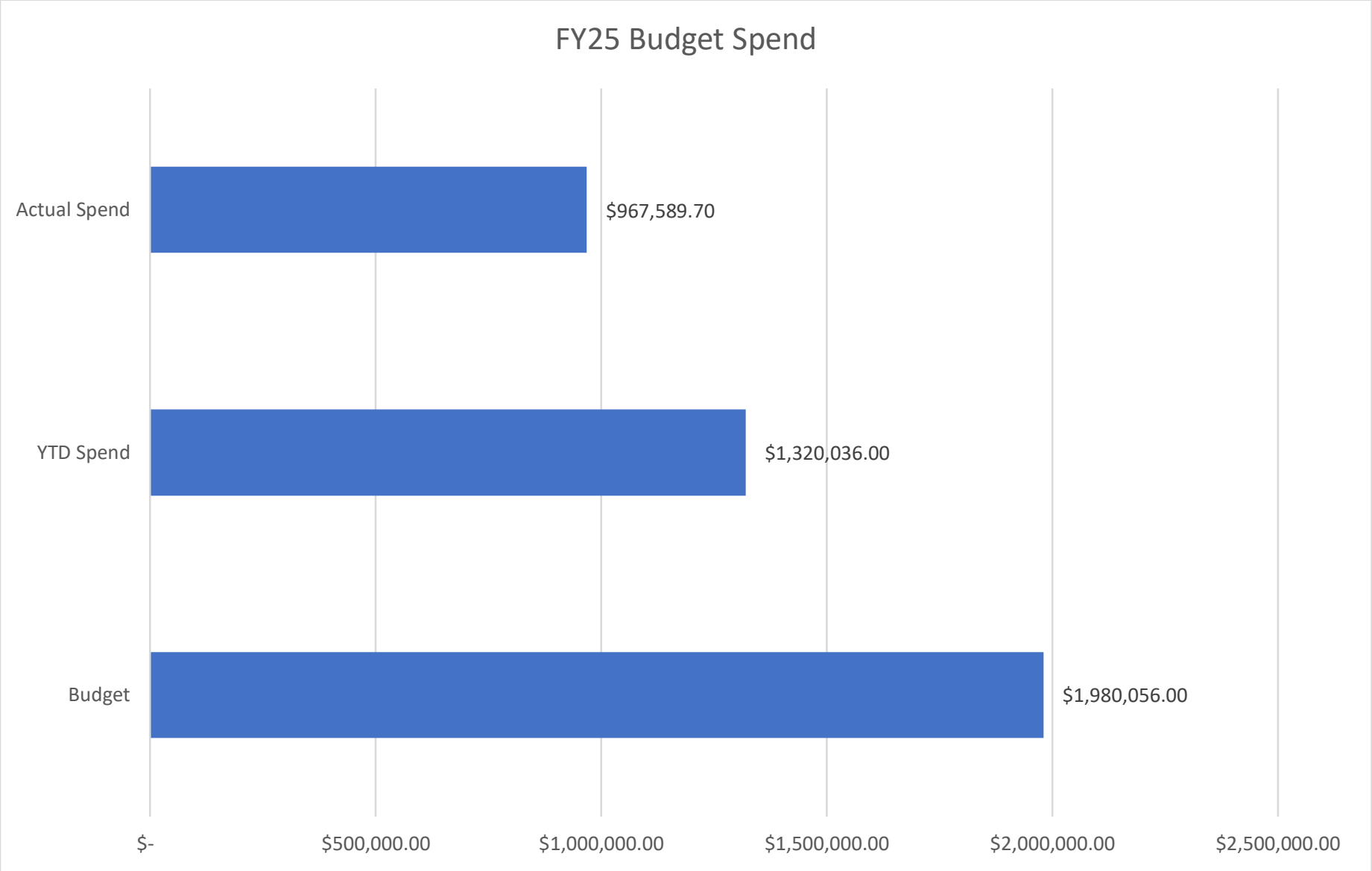
47	Baruch Meer	8907	Osteopathic Physician and Surgeon	Active	Out of State	2/5/2025	6/30/2025
48	Joshua Rosenberg	8908	Osteopathic Physician and Surgeon	Active	Out of State	2/5/2025	6/30/2025
49	John Varner	8909	Osteopathic Physician and Surgeon	Active	Out of State	2/5/2025	6/30/2025
50	Deepa Panjeti-Moore	8910	Osteopathic Physician and Surgeon	Active	Out of State	2/5/2025	6/30/2025
51	Robin Page-Echols	8911	Osteopathic Physician and Surgeon	Active	Out of State	2/5/2025	6/30/2025
52	John Burchfield	8912	Osteopathic Physician and Surgeon	Active	Out of State	2/5/2025	6/30/2025
53	Jon Van Der Veer	8913	Osteopathic Physician and Surgeon	Active	Out of State	2/6/2025	6/30/2025
54	Alyssa Gonzalez	8914	Osteopathic Physician and Surgeon	Active	Out of State	2/7/2025	6/30/2025
55	Scott Ellner	8915	Osteopathic Physician and Surgeon	Active	In State	2/10/2025	6/30/2025
56	Amanda Dean	8916	Osteopathic Physician and Surgeon	Active	In State	2/10/2025	6/30/2025
57	Blace Haviland	8917	Osteopathic Physician and Surgeon	Active	In State	2/10/2025	6/30/2025
58	Justin Owens	8918	Osteopathic Physician and Surgeon	Active	Out of State	2/13/2025	6/30/2025
59	Maurizio Miglietta	8919	Osteopathic Physician and Surgeon	Active	Out of State	2/13/2025	6/30/2025
60	Joseph Shadpour	8920	Osteopathic Physician and Surgeon	Active	Out of State	2/13/2025	6/30/2025
61	Benjamin Clark	8921	Osteopathic Physician and Surgeon	Active	Out of State	2/13/2025	6/30/2025
62	Linh Pham	8922	Osteopathic Physician and Surgeon	Active	Out of State	2/13/2025	6/30/2025
63	Elvira Jasarevic	8923	Osteopathic Physician and Surgeon	Active	Out of State	2/13/2025	6/30/2025
64	Arthur Joseph	8924	Osteopathic Physician and Surgeon	Active	Out of State	2/13/2025	6/30/2025
65	Ryan Ottwell	8925	Osteopathic Physician and Surgeon	Active	In State	2/18/2025	6/30/2025
66	Brent Twiford	8926	Osteopathic Physician and Surgeon	Active	In State	2/19/2025	6/30/2025
67	Leah Ann Dill	4349	Osteopathic Physician and Surgeon	Active	Out of State	2/20/2025	6/30/2025
68	Erin O'Hara	8927	Osteopathic Physician and Surgeon	Active	Out of State	2/21/2025	6/30/2025
69	Cleopatra Thurman	8928	Osteopathic Physician and Surgeon	Active	Out of State	2/21/2025	6/30/2025
70	Christopher Sittler	8929	Osteopathic Physician and Surgeon	Active	Out of State	2/21/2025	6/30/2025
71	Christopher Queen	8930	Osteopathic Physician and Surgeon	Active	Out of State	2/24/2025	6/30/2025
72	Amber Patel	8932	Osteopathic Physician and Surgeon	Active	Out of State	2/24/2025	6/30/2025
73	Stephen Ingle	8933	Osteopathic Physician and Surgeon	Active	In State	2/24/2025	6/30/2025
74	Travis Ewing	8934	Osteopathic Physician and Surgeon	Active	In State	2/24/2025	6/30/2025
75	Marna Cutler	8935	Osteopathic Physician and Surgeon	Active	Out of State	2/25/2025	6/30/2025
76	Leigh Costanzo	8936	Osteopathic Physician and Surgeon	Active	Out of State	2/26/2025	6/30/2025
77	Joseph DeVono	8937	Osteopathic Physician and Surgeon	Active	Out of State	2/27/2025	6/30/2025
78	Michael McCann	8938	Osteopathic Physician and Surgeon	Active	Out of State	2/27/2025	6/30/2025
79	Remina Panjwani	8939	Osteopathic Physician and Surgeon	Active	In State	2/28/2025	6/30/2025
80	Michelle Cung	8940	Osteopathic Physician and Surgeon	Active	In State	2/28/2025	6/30/2025
81	Matthew Hinton	8941	Osteopathic Physician and Surgeon	Active	In State	2/28/2025	6/30/2025
82	Shaun Wagner	8942	Osteopathic Physician and Surgeon	Active	In State	2/28/2025	6/30/2025
83	Justin Garzone	8943	Osteopathic Physician and Surgeon	Active	In State	2/28/2025	6/30/2025
84	Moyan Sun	8944	Osteopathic Physician and Surgeon	Active	Resident / Fellow	2/28/2025	6/30/2025
85	Megan Dery	8945	Osteopathic Physician and Surgeon	Active	Out of State	3/4/2025	6/30/2025
86	Anna Katema	8946	Osteopathic Physician and Surgeon	Active	Out of State	3/4/2025	6/30/2025
87	Salman Mandhai	8947	Osteopathic Physician and Surgeon	Active	Out of State	3/4/2025	6/30/2025
88	Nimshavathani Thaver	8948	Osteopathic Physician and Surgeon	Active	In State	3/5/2025	6/30/2025
89	Charity Styles	8949	Osteopathic Physician and Surgeon	Active	Out of State	3/5/2025	6/30/2025
90	Kuljit Kapur	8950	Osteopathic Physician and Surgeon	Active	Out of State	3/5/2025	6/30/2025
91	Joanne Pardun	8951	Osteopathic Physician and Surgeon	Active	Out of State	3/5/2025	6/30/2025
92	Tyler McGinnis	8952	Osteopathic Physician and Surgeon	Active	Out of State	3/6/2025	6/30/2025
93	Shisto Rais	8953	Osteopathic Physician and Surgeon	Active	Out of State	3/6/2025	6/30/2025
94	Mildred Santorufo	8954	Osteopathic Physician and Surgeon	Active	Out of State	3/6/2025	6/30/2025

CONTINUED MATTERS

AUDIT PROGRAM REPORT

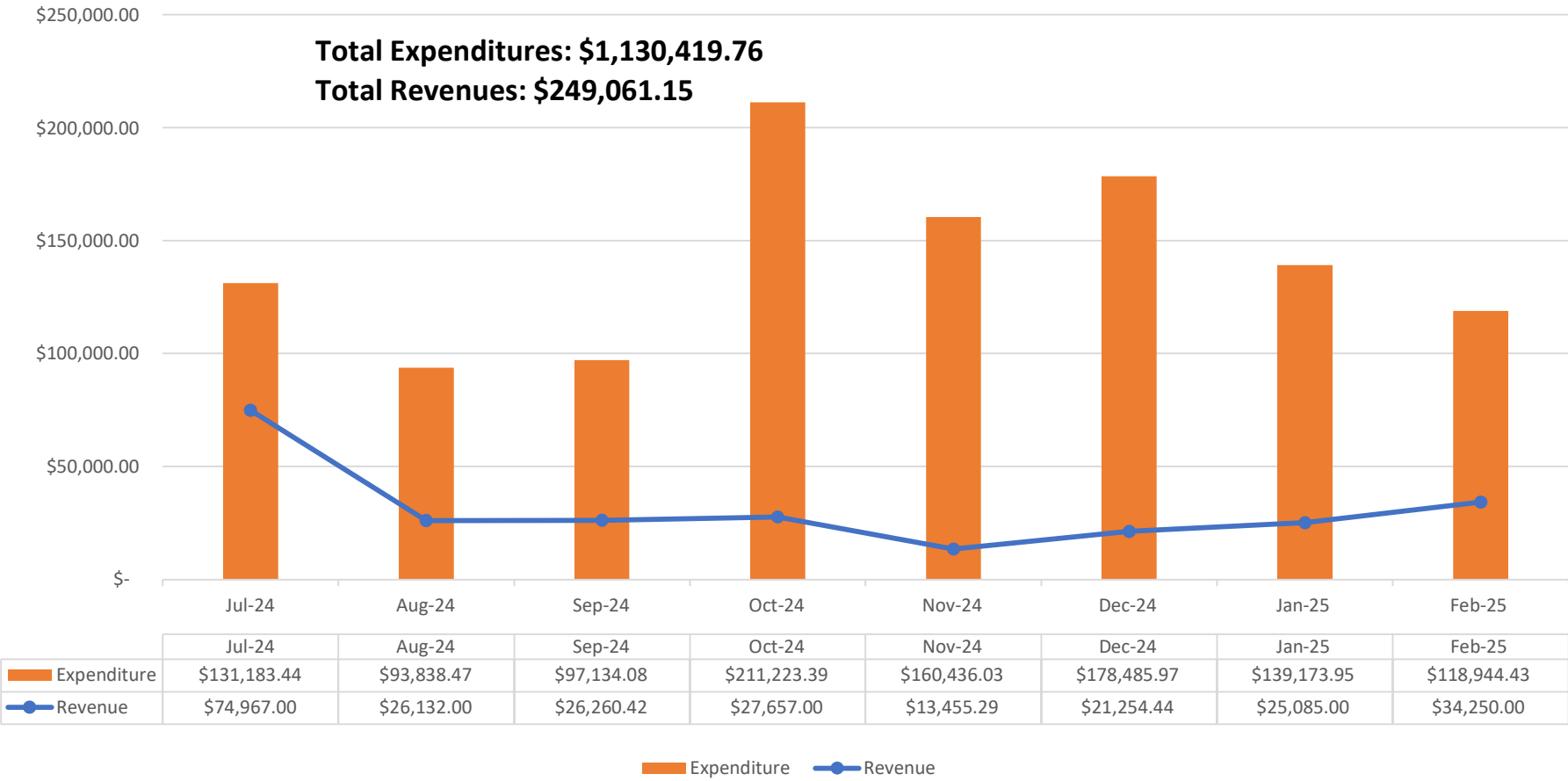
STAFF REPORTS

DIRECTOR MULLINS



FY25 Revenues and Expenditures

Accounts Standing as of 3/5/2025: \$787,890.26



Licensure Status Report License Year 2023 to Present

Total Active – 3/6/2025: 4,410

Dispensing Permits Active	776
Full Licenses	4,220
Resident Training Licenses	159
Emeritus Licenses	20
Volunteer Licenses	10
Temporary License	1

Licensing Year: 2023-2024

Type of License	# of Licenses	Cost
Full Licenses	344	\$600
Full Compact Licenses	171	\$600
Resident Training License	89	\$120
Temporary Resident License	7	\$100
Volunteer Licenses	2	\$0
Emeritus Licenses	18	\$0

Licensed Renewed:

Dates	# of Renewals	Cost
May 1, 2023 – June 30, 2023	3,282 + 121 IMLC = 3,408	\$225
July 1, 2023 –	102 + 25 IMLC = 127	\$225
Volunteer	5	No Cost

Licensing Year: Jan. 2025 through March 2025

Licenses Issued:

Type of License	# of Licenses	Cost
Full Licenses	87	\$600
Full Compact Licenses	52	\$600
Resident Training License	0	\$120
Temporary Resident License	1	\$100
Volunteer Licenses	0	\$0
Emeritus Licenses	0	\$0
Full Licensees using OK as their state of principal license (SPL) through the IMLCC	10	\$300 from IMLC

Licensure Status Report License Year 2023 to Present

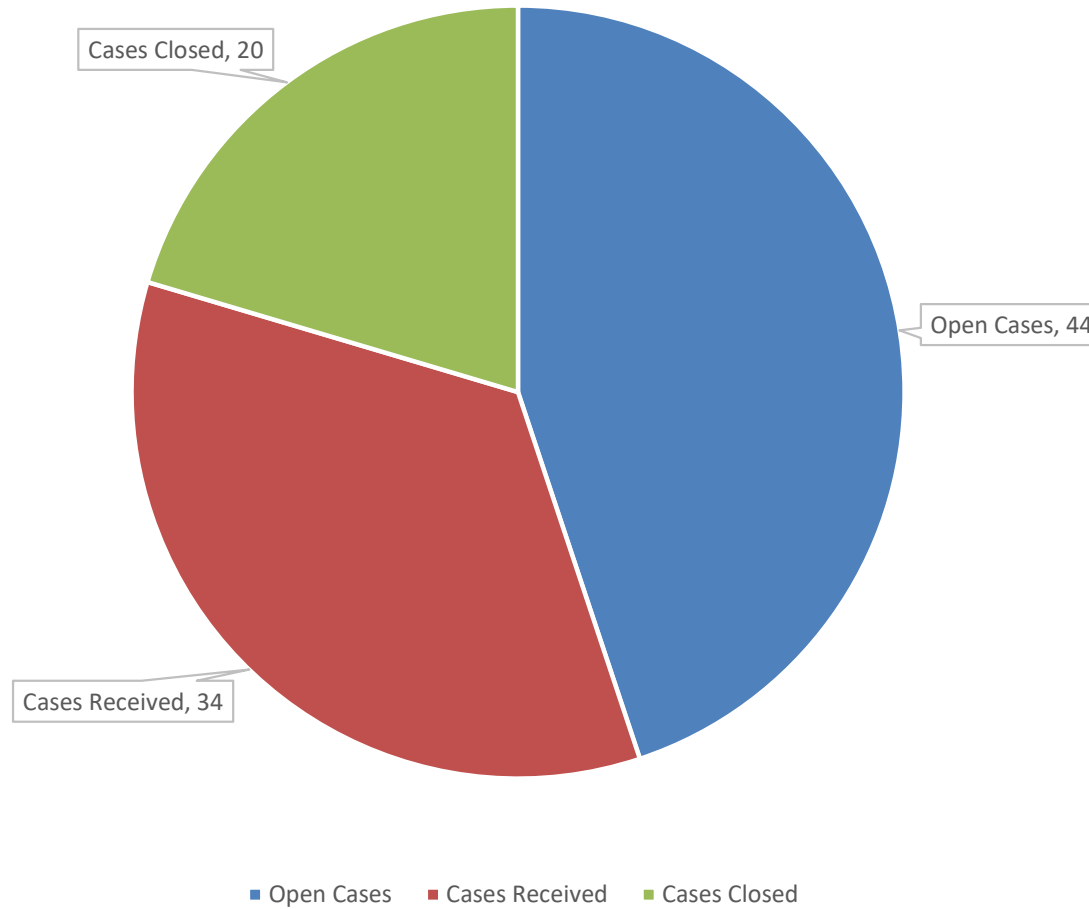
Actions Since 12/6/2024:

Action	# of Actions
Restriction	2
Suspension	1
Revocation	1
Cancellation	1
Modification	1

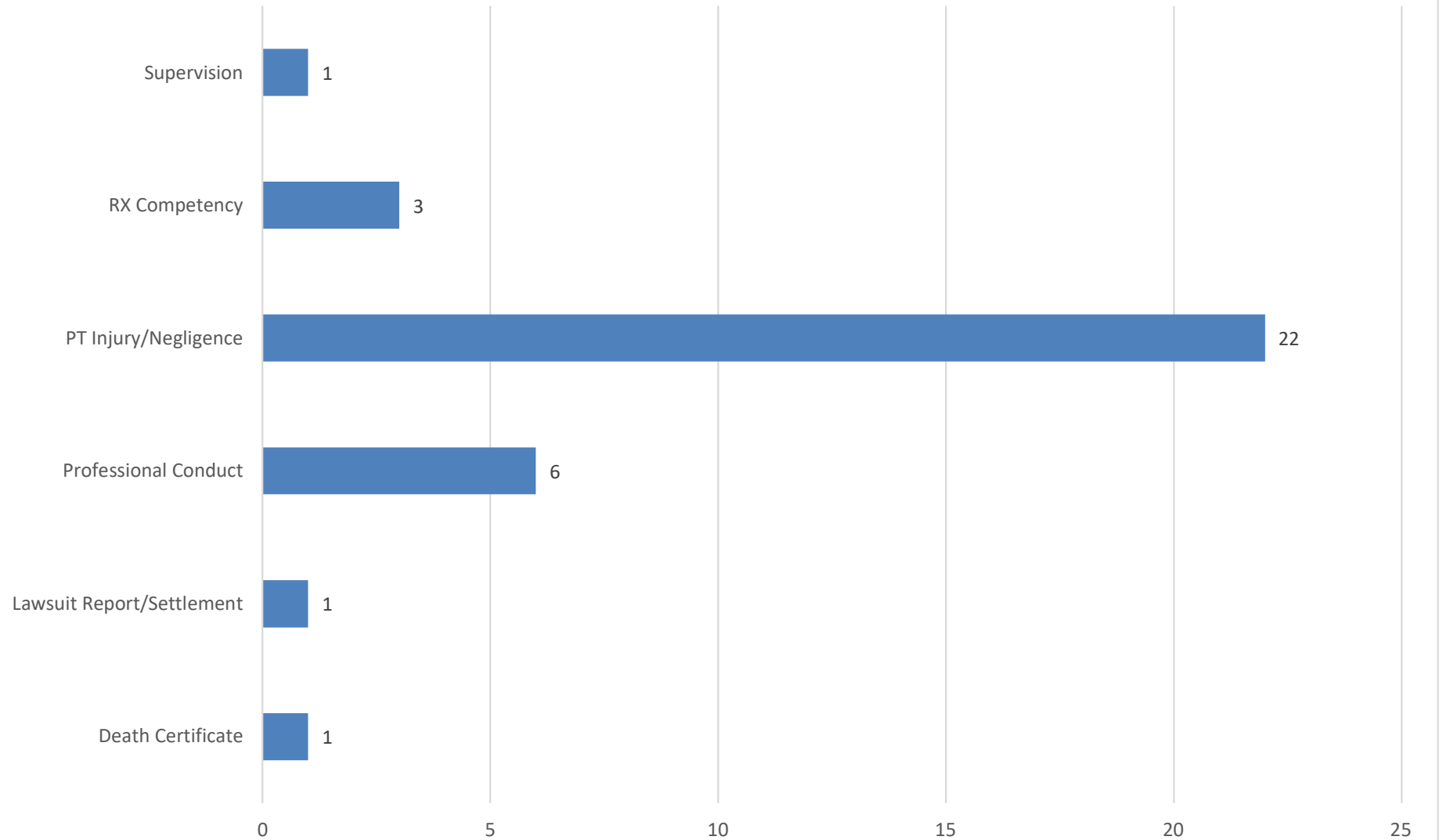
Dispensing Permits Issued:

Dates	Total	Cost
2022 – 2023	537	\$50 per location
2023 – 2024	658	\$50 per location
2024 – 2025	776	\$50 per location

2025 Case Data



2025 Allegation Type (as of 3/6/2025)





Oklahoma State Board of Osteopathic Examiners

MEMORANDUM

FROM: Kelsey Devinney
TO: OSBOE Board Members
DATE: 2/20/2025
SUBJECT: Update in Dispensing Permit Applications

Board Members:

We have been working on moving to an upgraded version of the licensure system we are currently operating on.

One item included in that switch is a more streamlined process for obtaining Dispensing Permits. This should also work to make the process more intentional so only those that need permits are applying for them.

Previous Process

Currently, physicians can request Dispensing Permits two ways.

The first is through their Place of Practice record outside of renewal. There is a checkbox labeled "Request Dispensing Permit" that they select for each location they require a permit. (See Attached)

The second is through the renewal. On the Place of Practice page, they can again select the checkbox named "Request Dispensing Permit" for the number of locations they require. However, if they have previously purchased a Dispensing Permit, when in the renewal the checkbox is automatically selected and will act as the "application" without conscious effort.

New Process

With the updated software, physicians will now specifically apply for each dispensing permit required and track their status on a page dedicated to permitting.

We believe this will reduce the number of permits purchased and cause less confusion regarding what the Dispensing Permit is needed for.

Previous Process:

Place of Practice

Your place of practice information are listed below. Please keep your records up-to-date.
To add a new place of practice record, click "Add New" and follow the instructions. To edit the details of an entry, click "Update".
A dispensing permit is required for each location you dispense.

You must list, and keep up to date, all locations in which you practice medicine.

Business/Organization	Practice Setting	Country	Start Date	End Date	Applied for Permit	Dispensing Permit	
test	Administration Position	United States of America	01-Jan-2000	24-Mar-2024	No	Request	Update
Ok. State Board of Osteopathic Examiners	Administration Position	United States of America	02-May-2016	N/A	No	Request	Update



+ Add New

New Process:

Dispensing Permit

Dispensing Permits

DISPENSING PERMIT

Dispensing permits are \$50.00 per dispensing location. **These permits are required only if you dispense medication at your practice location.** Additionally, the drugs shall be dispensed in accordance with federal and state statutes and in an appropriate container to which a label is affixed.

See our Rules for more information regarding Dispensing Permits - "[Title 510 Subchapter 3](#)".

Dispensing Permits can be found below.

Dispensing Permit Number	Dispensing Permit Category	Dispensing Permit Status	Current Date	Expiry Date
No Dispensing Permit Records!				

Dispensing Permit Applications

Dispensing Permit applications can be found below.

Application Number	Application Type	Status	Submitted Date
No Applications Found!			

[Start New Application](#)

PROPOSED EXECUTIVE SESSION

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT