

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

DATE OF MEETING December 12, 2019

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

MEMBERS PRESENT Dennis J. Carter, D.O.
Jay D. Cunningham, D.O.
Bret Langerman, D.O.
Carl B. Pettigrew, D.O.
Catherine Taylor, J.D.
Katie Templeton, J.D.

MEMBERS ABSENT Duane G. Koehler, D.O.
LeRoy E. Young, D.O.

ALSO PRESENT Rachel Adams
Christi Aquino, *Board of Osteopathic Examiners*
Jen Boren, *OHPP*
David N. Chorley, D.O.
Kimberly Contreras, *Board of Osteopathic Examiners*
Kelsey Devinney, *Board of Osteopathic Examiners*
D. Scott Dycus, D.O.
John Friedl, D.O.
Daniel Gamino, J.D., *Board Legal Advisor*
Mark Garcia, D.O.
Jeffrey Gastorf, D.O.
Melissa Gastorf, D.O.
Carley Gomez-Meade, D.O.
Brent Henderson, D.O.
Lana Ivy, *OOA*
Jamie Jefferson
Russell Jefferson, D.O.
Corinne Kilbury, *OHPP*
Merlin Kilbury, M.D. *OHPP*
John Kuhn, M.D., *OHPP*
John Martin, *D&R Reporting*
John Mobley, *Board of Osteopathic Examiners*
Timothy Moser, D.O.
Regan Nichols, D.O.
Michelle O'Meara, D.O.
Jason Postlethwaite, D.O.
J. Patrick Quillian, P.C. *Board Prosecutor*
Julio Rojas, Ph.D.
Danny K. Shadid, J.D.

OSBOE Regular Meeting, December 12, 2019

Aaron Sizelove, D.O.
Eddie Stewart, D.O.
G. Robinson Stratton, III, J.D. *Board of Osteopathic Examiners*
Andy Sullivan, M.D., *OHPP*
Trung Tran, D.O.
James Vodvarka, D.O.
Brett Whatcott, D.O.
Janis Womack, *Board of Osteopathic Examiners*
Michael Yost, D.O.
Richard Zimmer, *Board of Osteopathic Examiners*
General Public

PRESIDING: Dennis J. Carter, D.O. *President*

1. CALL TO ORDER & ESTABLISH QUORUM

Dennis J. Carter, D.O., *President*, called the meeting to order at 8:00 a.m. and announced that a quorum was established.

2. APPROVAL OF MINUTES

Dr. Carter asked the members of the Board if they had reviewed the minutes from the Quarterly Board Meeting of September 19, 2019. He asked for any additions, corrections or deletions to those minutes.

Dr. Pettigrew moved to approve the minutes of the September 19, 2019, Regular Board Meeting, as presented. Dr. Cunningham seconded the motion.

Dr. Carter called for the votes on the motion to approve the minutes and a roll call.

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

3. DISCIPLINARY HEARING DOCKET

Jason Postlethwaite, D.O.

Dr. Carter called the matter of Jason Postlethwaite, D.O. to order and recognized Special Prosecutor for the Board, J. Patrick Quillian, P.C. Dr. Postlethwaite appears in person with counsel of record, Danny K. Shadid, J.D. Merlin Kilbury, M.D. and Jen Boren of OHPP and Chief Investigator for the Board, Richard Zimmer, were called to testify. The Hearing commenced with testimony and Exhibits presented by both parties. Both parties rested.

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

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

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

The motion passed.

Dr. Pettigrew moved to come out of Executive Session.
Ms. Taylor seconded the motion.

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

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

The motion passed.

Dr. Carter moved to find through clear and convincing evidence that Dr. Postlethwaite's contract with OHPP was violated in June 2019.
Ms. Taylor seconded the motion.

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

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

The motion passed.

Dr. Carter moved that Dr. Postlethwaite shall obtain an evaluation by Dr. Julio Rojas, to include an official report provided to the Board by the Regular Board Meeting of March 2020. Once the results are obtained and reviewed by the Board further action may be taken. In the interim, Dr. Postlethwaite shall continue his monitoring contract with OHPP and may continue practicing with his active unrestricted license.
Dr. Pettigrew seconded the motion.

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

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

The motion passed.

4. OHPP ORGANIZATIONAL STATUS UPDATE

Andy Sullivan, M.D., Interim Medical Director of the Oklahoma Health Professionals Program (OHPP) appeared to provide information and answer any questions the Board may have for OHPP. He announced that John Kuhn, M.D. will be assuming his role as Medical Director for the program at the beginning of 2020.

5. PROBATION & MONITORING HEARING DOCKET

David N. Chorley, D.O.

Dr. Carter called the matter of David N. Chorley, D.O. to order. Dr. Chorley appeared in person without counsel. Investigator for the Board, John Mobley, also appeared and gave testimony. The Board considered Dr. Chorley's compliance with his Modified Order of Probation with Conditions 3/17/2016. Dr. Chorley asked if he is able to provide medical care through telemedicine while on probation, the Board directed staff to check the statute and report back to Dr. Chorley with information. Dr. Chorley was informed he is to appear in six (6) months.

No motion was made.

D. Scott Dycus, D.O.

Dr. Carter called the matter of D. Scott Dycus, D.O. to order. Dr. Dycus appeared in person without counsel. The Board's Chief Investigator, Richard Zimmer, also appeared and gave testimony. The Board considered Dr. Dycus' compliance with his Order with Conditions of 4/16/15. Dr. Dycus requested to be released from probation now that he has completed all the conditions of his Order.

<p>Dr. Cunningham moved to Terminate Dr. Dycus' Order with Conditions for good cause shown. Ms. Templeton seconded the motion.</p>
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Dr. Carter called for the votes on the motion and a roll call.

<p>The roll call/votes were: Dr. Carter, yes; Dr. Cunningham, yes; Dr. Koehler, abs; Dr. Langerman, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, abs.</p>

The motion passed.

John C. Friedl, D.O.

Dr. Carter called the matter of John C. Friedl, D.O. to order. Dr. Friedl appeared in person without counsel. The Board's Chief Investigator, Richard Zimmer, also appeared and gave testimony. The Board considered Dr. Friedl's compliance with his Order of Probation of 12/10/15.

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

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

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

The motion passed.

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

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

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

The motion passed.

Dr. Carter moved to amend Dr. Friedl's previous Order to state the Board will see Dr. Friedl every six (6) months as opposed to the three (3) previously stated. The Board will also consider termination of Dr. Friedl's probation at the December 2020 Board Meeting.
Ms. Taylor seconded the motion.

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

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

The motion passed.

Melissa Gastorf, D.O.

Dr. Carter called the matter of Melissa Gastorf, D.O. to order. Dr. Gastorf appeared in person without counsel. Investigator for the Board, John Mobley, also appeared and gave testimony. The Board considered Dr. Gastorf's compliance with her Agreed Order of Monitoring of 12/14/17. Dr. Gastorf was informed to next appear in six (6) months.

No motion was made.

Jeffrey Gastorf, D.O.

Dr. Carter called the matter of Jeffrey Gastorf, D.O. to order. Dr. Gastorf appeared in person without counsel. Investigator for the Board, John Mobley, also appeared and gave testimony.

OSBOE Regular Meeting, December 12, 2019

The Board considered Dr. Gastorf's compliance with his Agreed Order of Monitoring 12/14/17. Dr. Gastorf was informed to next appear in six (6) months.

No motion was made.

Brent W. Henderson, D.O.

Dr. Carter called the matter of Brent W. Henderson, D.O. to order. Dr. Henderson appeared in person without counsel. Merlin Kilbury, M.D. of OHPP appeared with Dr. Henderson. Investigator for the Board, John Mobley, also appeared and gave testimony. The Board considered Dr. Henderson's compliance with his Agreed Order of Monitoring of 12/13/18. The Board directed Dr. Henderson to provide information regarding patients with a high MME to Board staff and to start communicating with Mr. Mobley regularly. Dr. Henderson was informed he is to appear in six (6) months.

No motion was made.

Christopher V. Moses- Continuance to March 2020 at Licensee's request.

Regan G. Nichols, D.O.

Dr. Carter called the matter of Regan G. Nichols, D.O. to order. Dr. Nichols appeared in person without counsel. Chief Investigator for the Board, Richard Zimmer, also appeared and gave testimony. The Board considered Dr. Nichols's compliance with her Order of Probation of 9/15/15. Due to a pending court appearance in June 2020 Dr. Nichols was informed to next appear in three (3) months.

No motion was made.

Michelle D. O'Meara, D.O.

Dr. Carter called the matter of Michelle D. O'Meara, D.O. to order. Dr. O'Meara appeared in person without counsel. Merlin Kilbury, M.D of OHPP appeared with Dr. O'Meara. Chief Investigator for the Board, Richard Zimmer, also appeared and gave testimony. The Board considered Dr. O'Meara's compliance with her Order Lifting Suspension of License and Restoring License with Conditions of Monitoring 6/20/2019. Testimony given by Mr. Zimmer and Dr. Kilbury revealed that Dr. O'Meara has not been in 100% compliance with her OHPP contract as previously ordered by the Board at the September 2019 Meeting.

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

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

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

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

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

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

The motion passed.

Ms. Templeton moved that from this point forward every failed SoberLink test by Dr. O'Meara will result in a one thousand (1,000) dollar fine to be paid within ninety (90) days, as statutorily allowed by the Board. Dr. O'Meara is also to begin paying a one hundred (100) dollar monthly maintenance fee.
Dr. Pettigrew seconded the motion.

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

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

The motion passed.

Brett D. Whatcott, D.O.

Dr. Carter called the matter of Brett D. Whatcott, D.O. to order. Dr. Whatcott appeared in person without counsel. The Board's Investigator, John Mobley, also appeared and gave testimony. The Board considered Dr. Whatcott's compliance with his Agreed Order of Practicing in Oklahoma.

Dr. Carter moved to terminate Dr. Whatcott's Agreed Order for good cause shown.
Ms. Templeton seconded the motion.

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

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

The motion passed.

6. LICENSURE HEARING & REPORTING DOCKET

Applicants for Licensure- Appearing

Christopher S. Blaisdell, D.O.- Appearance cancelled at Licensee's request.

Mark David Garcia, D.O.

The Board considered Dr. Garcia's request for Licensure in Oklahoma. The application was considered, and testimony was taken.

Ms. Templeton moved to approve unrestricted Oklahoma licensure for Dr. Garcia.
Dr. Carter seconded the motion.

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

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

The motion passed.

Carley Gomez-Meade, D.O.

The Board considered Dr. Gomez-Meade's report provided by her proctor, Dr. Talbot, as requested by the Board in September 2019.

Ms. Taylor moved to grant unrestricted licensure and allow Dr. Gomez-Meade to return to active practice in a clinical setting.
Ms. Templeton seconded the motion.

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

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

The motion passed.

Russell W. Jefferson, D.O.

The Board considered Dr. Jefferson's evaluation provided by Dr. Julio Rojas, as requested by the Board in September 2019. In response to the evaluation and the recommendations contained in it, Dr. Carol Gambrill, the Program Director of OSU-CHS McAlester, provided a letter stating they will grant completion of Dr. Jefferson's PGY-1 year when he completes the recommendations made by Dr. Rojas.

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

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

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

The motion passed.

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

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

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

The motion passed.

Dr. Carter moved that Dr. Jefferson does not owe an additional licensure fee once he completes the recommendations made by Dr. Rojas and appears for re-consideration.
Ms. Templeton seconded the motion.

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

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

The motion passed.

Eddie R. Stewart, D.O.

The Board considered Dr. Stewart's request for Re- Licensure in Oklahoma. The application was considered, and testimony was taken.

Dr. Carter moved to Table Dr. Stewart's application until the Board is able to schedule a Hearing to adjudicate the Complaint that was filed against him in December 2004. Upon completion of the Hearing and decision of the Board, Orders may be given for Dr. Stewart to undergo a fitness to practice evaluation and he may have to obtain further CME.
Dr. Cunningham seconded the motion.

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

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

The motion passed.

Trung Tran, D.O.

The Board considered Dr. Tran's request for Licensure in Oklahoma. The application was considered, and testimony was taken.

Ms. Templeton moved to approve unrestricted Oklahoma licensure for Dr. Tran.
Dr. Pettigrew seconded the motion.

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

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

The motion passed.

James M. Vodvarka, D.O.

The Board considered Dr. Vodvarka's request for Licensure in Oklahoma. The application was considered, and testimony was taken.

Ms. Taylor moved to approve unrestricted Oklahoma licensure for Dr. Vodvarka.
Ms. Templeton seconded the motion.

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

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

The motion passed.

Rickey B. Walker, D.O.- Continuance requested by Licensee to appear in March 2020.

Michael Yost, D.O.

The Board considered Dr. Yost's request for Re-Licensure in Oklahoma. The application was considered, and testimony was taken.

Dr. Pettigrew moved to approve Oklahoma licensure of Dr. Yost with the condition that he complete his OHPP contract in July 2020.
Dr. Langerman seconded the motion.

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

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

OSBOE Regular Meeting, December 12, 2019
The motion passed.

Applicants for Licensure- Not Appearing

Keith A. Norvill, D.O.

The Board reviewed the presented Order of Nunc Pro Tunc for Dr. Norvill.

Dr. Cunningham moved to amend Dr. Norvill’s license and approve the presented Order of Nunc Pro Tunc.
Ms. Taylor seconded the motion.

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

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

The motion passed.

7. STATUS OF WAIVER REQUESTS FOR ELECTRONIC PRESCRIBING UNDER 63 O.S. § 2-309 EFFECTIVE 1/1/2020

Executive Director Stratton announced that as of December 12, 2019 there have been fifty-one (51) E-Prescribing Waiver Requests. Out of those, forty-seven (47) have been approved by the Board and only four (4) have been denied. He stated there has been a change to the form to add a signature line to help ensure that each physician is submitting the form themselves.

8. DISCUSSION ON THE NUMBER OF FULL-TIME MID-LEVEL PRACTITIONERS SUPERVISED AND EXCEPTIONS

Aaron Sizelove, D.O.

The Board considered Dr. Sizelove’s request for exception to Mid-Level Supervision rule 510:10-4-3 (5) to provide supervision to six (6) Mid-Level Practitioners.

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

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

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

The motion passed.

Dr. Carter moved to come out of Executive Session.

Dr. Langerman seconded the motion.

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

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

The motion passed.

Dr. Carter moved to approved Dr. Sizelove's request for exception to allow him to oversee six (6) full time Mid-Level Practitioners, notification will be provided to necessary entities by Board staff.

Dr. Langerman seconded the motion.

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

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

The motion passed.

9. CHANGE IN APPOINTMENT OF COMMISSIONER TO THE INTERSTATE MEDICAL LICENSURE COMPACT COMMISSION (IMLCC)

Dr. Pettigrew moved to change the appointment of IMLCC commissioner from Dr. Carl Pettigrew to Ms. Christi Aquino.

Dr. Cunningham seconded the motion.

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

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

The motion passed.

10. DIRECTIVE APPROVAL REQUEST FOR UPDATE TO MISSION-CRITICAL AGENCY EXPENSES & TRAVEL

Dr. Carter moved to approve the Directive presented by Executive Director Stratton, which includes the addition of FARB and CLEAR to the previous Board Resolution.

Ms. Taylor seconded the motion.

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

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

The motion passed.

11. APPROVAL OF CONTINUING EDUCATION

Ms. Templeton moved to approve the costs of Continuing Education for those staff members that maintain certification or licensure that applies to their positions held with the Board.
Dr. Langerman seconded the motion.

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

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

The motion passed.

12. REQUEST FOR DIRECTIVE ON STANDARD LANGUAGE IN ORDERS TO INCLUDE STANDARDIZED DUE DATES ON FINES, CASE COSTS, & ANY OTHER ORDERED ASSESSMENTS

The Board discussed fines and case costs regarding standard language in Orders. They directed Board staff to have total case costs associated with the investigation ready to present for review following any Hearing. If requested for review, the Board will then make the determination regarding what case cost recovery amount is owed and any fines associated with the violation(s) in a separate motion and vote.

13. REQUEST FOR VOTE TO MOVE THE MARCH REGULAR QUARTERLY BOARD MEETING TO THE SECOND THURSDAY IN MARCH EACH YEAR

Dr. Carter moved to approve the movement of all Regular Quarterly March meeting dates to the second Thursday of March each year.
Dr. Langerman seconded the motion.

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

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

The motion passed.

14. REPORTS

Executive Director Stratton:

1. Director Stratton advised the Board that Board staff is in the midst of an Agency IT Infrastructure overhaul. The cost estimates have been received from OMES to provide all new workstation systems, internet connection, phone systems, and

OSBOE Regular Meeting, December 12, 2019

enterprise level security. Director Stratton also announced that the Agency is going to begin work with Thentia on a complete online licensing system once approval from OMES has been obtained.

2. Director Stratton announced the reports provided on the Budget were in the Board Materials for review.
3. Director Stratton informed the Board that he has begun checking for discrepancies with physician license renewal Professional Standards Questionnaires in regard to lawsuit reporting. After discussion Mr. Stratton was directed to list an item regarding the Professional Standards Questionnaire on the March Agenda with a possible Executive Session to be called and to discuss this with the Board President, Dr. Carter in the interim.

General Counsel Gamino:

1. Mr. Gamino announced that the Board has the authority to hire a collections attorney to pursue past due recovery costs, if they so choose. Discussion was made regarding how staff attempts to recover any case costs assessed.

Dr. Carter moved that fines shall be paid within six (6) months of assessment and case recovery costs shall be paid in full halfway through the probationary period. This includes the knowledge that this motion is to establish a standard for fines and costs assessed and that the Board has discretion to review due dates on a case by case basis.

Dr. Pettigrew seconded the motion.

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

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

The motion passed.

Ms. Templeton moved to amend the previous motion to change the amount of time on case cost and fine recovery to be paid within one (1) year from the date assessed.

Ms. Taylor seconded the motion.

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

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

The motion passed.

Dr. Cunningham moved to provide a collections attorney with a list of physicians with past due balances on recovery costs that the Board no longer has jurisdiction over.

Dr. Langerman seconded the motion.

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

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

The motion passed.

2. Mr. Gamino provided the Board an update on the litigation regarding Tulsa Women's Reproductive Clinic v. Michael Hunter, et al, CV-2019-2176.
3. Mr. Gamino provided the Board an update on the litigation regarding South Wind Women's Reproductive Clinic v. Michael Hunter, et al, CV-2019-2506.

15. OLD BUSINESS

1. A status report was obtained by the assigned volunteer licensing guidelines committee (Dr. Cunningham, Dr. Langerman, Ms. Templeton) and a status update was given by Ms. Aquino regarding the licensing process of Volunteer Licenses. The Board requested an opinion by Mr. Gamino about the statute regarding this license type be prepared for review.
2. A status report was obtained by the assigned adult-onset Attention Deficit Disorder (ADD) committee (Dr. Pettigrew, Dr. Cunningham, Dr. Young, Ms. Templeton). Dr. Pettigrew announced that after discussion they have no recommendations regarding physicians diagnosed with ADD. Applicants are already asked to provide diagnosis and testing information from their treating physician during the application process.
3. A status report was obtained by the assigned committee regarding potential claims related to list of Criminal Offenses pursuant to 59 O.S. § 4000.1 (Ms. Taylor, Ms. Templeton, Dr. Koehler).

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

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

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

The motion passed.

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

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

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

The motion passed.

Dr. Carter moved that in reference to the Status report on potential claims related to list of criminal offenses pursuant to 59 O.S. § 4000.1 that should an item come up on a licensure application or renewal that warrants further review, the licensure specialist will refer those questions to the Executive Committee.
Ms. Taylor seconded the motion.

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

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

The motion passed.

16. PUBLIC COMMENT

No public comment was made.

17. ADJOURNMENT

The meeting adjourned by consensus at 4:30 p.m.