

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

DATE OF MEETING December 14, 2017

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.
C. Michael Ogle, D.O.
Carl B. Pettigrew, D.O.
Catherine C. Taylor, J.D.
LeRoy E. Young, D.O.

MEMBERS ABSENT Katie Templeton, J.D.

ALSO PRESENT Christi Aquino, *Board of Osteopathic Examiners*
Christopher Blaisdell
Deborah J. Bruce, J.D., *Board of Osteopathic Examiners*
David Chorley, D.O.
Shirley Chorley
Kelsey Devinney, *Board of Osteopathic Examiners*
Vinson Michael DiSanto, D.O.
D. Scott Dycus, D.O.
Daniel Gamino, J.D., *Board Legal Advisor*
Susan Fenimore, *DNR Reporting*
John Friedl, D.O.
Dustin O'Leath Hayes, D.O.
Trenton Horst, D.O.
Lana Ivy, *OOA*
Corinne Kilbury, *OHPP*
Merlin Kilbury, M.D. *OHPP*
John Kushnir
Sheridan Lindley, J.D.
Joshua Livingston, D.O.
John Marlar, D.O.
Roma McElwee, J.D.
Mary Kathryn Mercer, D.O.
John Mobley, *Board Investigator*
April Moore
Cole Randall
Mel Robison, D.O.
Stephanie Robison
Elizabeth A. Scott, J.D.
Evan Way
Robert Westcott, M.D. *OHPP*

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Bryon Will, J.D.

Richard Zimmer, *Board of Osteopathic Examiners*

General Public

PRESIDING: LeRoy E. Young, D.O. *President*

1. CALL TO ORDER & ESTABLISH QUORUM

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

2. APPROVAL OF MINUTES

Dr. Young asked the members of the Board if they had reviewed the minutes from the Quarterly Board Meeting of September 21, 2017. He asked for any additions, corrections or deletions to those minutes.

Dr. Cunningham moved to approve the minutes of the September 21, 2017, Quarterly Board Meeting as presented.
Dr. Langerman seconded the motion.

Dr. Young 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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

3. REPORTS

A. EXECUTIVE DIRECTOR REPORT

Ms. Bruce noted for the Board two new Agenda items, a specific opportunity for public comment and a specific opportunity for Board Education.

B. BUDGET

Ms. Bruce advised the Board that the financial documents they were presented were prepared by OMES. The report was accepted by consensus.

4. APPLICANTS FOR LICENSURE – APPEARANCES

Dr. Vinson Michael DiSanto

The Board considered Dr. DiSanto's request for Licensure.

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

Dr. Young 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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

Dr. Carter moved to come out of Executive Session.
Dr. Ogle 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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

Dr. Carter moved to Grant the Application for Licensure of Vinson Michael DiSanto, D.O.
Dr. DiSanto was admonished to be conscious of the new law for his practice area.
Dr. Ogle 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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

5. PROBATION/MONITORING APPEARANCES

D. Scott Dycus, D.O.

Dr. Young called the matter of D. Scott Dycus, D.O. to order. Dr. Dycus appears in person without counsel. Board Chief Investigator, Rick Zimmer, also appeared and gave testimony. The Board considered Dr. Dycus' compliance with his Amended Order with Conditions 4/16/15. Dr. Dycus was informed to next appear in three (3) months with an update on end date of CPEP.

No motion was made.

Regan G. Nichols, D.O.

Dr. Young called the matter of Regan G. Nichols, D.O. to order. Dr. Nichols appears in person without counsel. Board Chief Investigator, Rick Zimmer, also appeared and gave testimony. The Board considered Dr. Nichols's compliance with her Order of Probation, 9/15/15. Dr. Nichols was informed to next appear in six (6) months.

No motion was made.

Dustin O'Leath Hayes, D. O.

Dr. Young called the matter of Dustin O'Leath Hayes, D.O. to order. Dr. Hayes appears in person with counsel of record Elizabeth A. Scott, J.D. Robert Westcott, M.D. of OHPP appears on behalf of Dr. Hayes. Board Chief Investigator, Rick Zimmer, also appeared and gave testimony. The Board considered Dr. Hayes' compliance with his Board Order with Conditions on 6/19/14.

Dr. Ogle moved to go into Executive Session.
Dr. Carter 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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

Dr. Ogle moved to come out of Executive Session.
Dr. Carter 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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

Although no action was taken, Dr. Hayes was reminded to make an effort to follow all terms and conditions of the Board's Orders, including OHPP attendane.

David N. Chorley, D.O.

Dr. Young called the matter of David N. Chorley, D.O. to order. Dr. Chorley appears in person without counsel. Investigator for the Board, John Mobley, also appeared and gave testimony. The Board considered Dr. Chorley's compliance of his Order of suspension with Conditions of 1/29/16. Dr. Chorley was informed

Not motion was made.

Melvin L. Robison, D.O.

Dr. Young called the matter of Melvin L. Robison, D.O. to order. Dr. Robison appears in person without counsel. The Board's Chief Investigator, Rick Zimmer, also appeared and gave

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testimony. The Board addressed Dr. Robison's compliance with his five (5) year Probation of 6/16/16. Dr. Robison was informed to next appear in six to nine (6-9) months.

No motion was made.

John Marlar, D.O.

Dr. Young called the matter of John Marlar, D.O. to order. Dr. Marlar appears in person without counsel. The Board's Investigator, John Mobley, also appeared and gave testimony. The Board addressed Dr. Marlar's compliance with his Agreed Order of 9/15/16. Dr. Marlar was informed to next appear in six to nine (6-9) months.

No motion was made.

Trenton F. Horst, D.O.

Dr. Young called the matter of Trenton F. Horst, D.O. to order. Dr. Horst appears in person without counsel. The Board's Chief Investigator, Rick Zimmer, also appeared and gave testimony. The Board addressed Dr. Horst's Order of Probation of 6/21/12.

Dr. Cunningham moved to go into Executive Session.
Dr. Carter 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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

Dr. Cunningham moved to come out of Executive Session.
Dr. Carter 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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

Although no action was taken, Dr. Horst was advised that he needed a plan for re-entry in gastroenterology and to attempt Board re-certification.

John C. Friedl, D.O.

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Dr. Young called the matter of John C. Friedl, D.O. to order. Dr. Friedl appears in person without counsel. The Board's Chief Investigator, Rick Zimmer, also appeared and gave testimony. The Board addressed Dr. Friedl's Order of Probation of 12/10/15.

Ms. Taylor moved to go into Executive Session.
Dr. Ogle 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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

Ms. Taylor moved to come out of Executive Session.
Dr. Ogle 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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

Dr. Ogle moved to modify the Order of Probation of 12/10/15 by adding two (2) years to the term. The Board also ordered that Dr. Friedl complete his CME as ordered within the next twelve (12) months. The Board also ordered Dr. Friedl to make a good faith effort to stay in contact with Board Staff and failure to follow these conditions can result in further discipline including suspension or revocation.
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, no; Dr. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

Christopher S. Blaisdell

Dr. Young called the matter of Christopher S. Blaisdell to order. Mr. Blaisdell appears in person with counsel of record Elizabeth A. Scott, J.D. Mr. Blaisdell appeared asking the Board's guidance as to whether he could perform wellness visits while his license is revoked.

Dr. Pettigrew moved to go into Executive Session.
Dr. Langerman 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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

Dr. Pettigrew moved to come out of Executive Session.
Dr. Langerman 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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

Dr. Pettigrew moved that the question he asks should be answered by Medicare.
Dr. Cunningham 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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

6. HEARING DOCKET – Individual Proceedings / Disciplinary Actions

Mary Kathryn Mercer, D.O.

Dr. Young called the matter of Mary Kathryn Mercer, D.O. to order. Dr. Mercer appears in person with counsel of record, Elizabeth A. Scott, J.D. The Board's Chief Investigator, Rick Zimmer, appeared and gave testimony. The Board addressed Dr. Mercer's compliance with her Interim Order of Temporary Suspension of 9/15/16 and the Application for an Order to Show Cause. At issue is Dr. Mercer's alleged failure to comply with her Order of Suspension.

Ms. Taylor moved to go into Executive Session.
Dr. Pettigrew 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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

Ms. Taylor moved to come out of Executive Session.
Dr. Pettigrew 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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

Dr. Ogle moved that the Interim Suspension remain in place. Dr. Mercer is to complete all terms and conditions of her order within the next six (6) months including obtaining assessments from Dr. Rousseau and an assessment from a neurologist per staff directions. She is to provide to staff all medical records of the last twelve months and a monthly report from Dr. Mercer on her progress. At the next appearance, any other complaints can be filed and considered including PMP reports.
Dr. Cunningham 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. Langerman, yes; Dr. Ogle, abs; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

Jeffrey Gastorf, D.O.

Dr. Young called the matter of Jeffrey Gastorf, D.O. to order. Dr. Gastorf appears in person with counsel of record, Bryon J. Will, J.D. The Board's Investigator, John Mobley, appeared and gave testimony. The Board

Dr. Ogle moved to Approve the Agreed Order.
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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

Melissa Gastorf, D.O.

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Dr. Young called the matter of Melissa Gastorf, D.O. to order. Dr. Gastorf appears in person with counsel of record, Bryon J. Will, J.D. The Board's Investigator, John Mobley, appeared and gave testimony. The Board

Dr. Pettigrew moved to Approve the Agreed Order.
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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

Jeremy Thomas, D.O.

Dr. Young called the matter of Jeremy Thomas, D.O. to order. Ms. Bruce presented the Application for an Emergency Order of Suspension. Dr. Thomas could not appear. The Board's Chief Investigator appeared and gave testimony.

Dr. Carter moved to declare an emergency existed that required immediate Board action.
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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

Dr. Ogle moved to grant the application and enter an Emergency Order of Suspension pending a Hearing.
Dr. Carter 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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

Ms. Bruce announced that the following cases were continued to another date:

Kash Biddle, D.O.

Gregory Rampey, D.O.

Patrick B. O'Hayre, D.O.

7. APPLICANTS FOR LICENSURE - NOT APPEARING

The Board reviewed seventeen (17) new applicant licensure files.

Dr. Pettigrew moved to approve the license applications pending completion of their application files satisfactory to Board Staff and to approve all Fast Track applications that had occurred since the last meeting.
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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

8. LICENSURE MATTERS

Request for Name Change

Tracy L.W. Burton, D.O. to **Tracy L. Wilkerson, D.O.**
Sara Ariana Cale, D.O. to **Sara Ariana Rafael, D.O.**
Jessica Leann Cox, D.O. to **Jessica Leann Poteet, D.O.**
Summer Mariah Hill, D.O. to **Summer Mariah Lepley, D.O.**

Dr. Pettigrew moved to approve the name changes as requested.
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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

9. OLD BUSINESS

Policy on Applicants taking CDS Prescriptions (Report)
Committee: Dr. Young, Dr. Cunningham, Dr Pettigrew, Ms. Bruce
This matter will continue to be a concern and staff is directed to continue to inquire as to the taking of CDS by applicants.

10. NEW BUSINESS

1. DUI/DWI Convictions – Board consideration - tabled

11. CONSENT AGENDA

Dr. Pettigrew moved to approve all items on the Consent Agenda for December, 2017.
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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed.

12. MEETING DATES FOR 2018

Board staff presented the meeting dates for next year as March 15, 2018, June 21, 2018, September 20, 2018, and December 13, 2018.

Dr. Pettigrew moved to accept meeting dates for 2018.
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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

13. ADJOURNMENT

Dr. Cunningham moved to adjourn the meeting.
Dr. Langerman 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. Langerman, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, abs; Dr. Young, yes.

The motion passed and the meeting adjourned at 3:15 p.m.