

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

DATE OF MEETING December 8, 2022

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

MEMBERS PRESENT Dennis Carter, D.O.
Chelsey Gilbertson, D.O.
Duane Koehler, D.O.
Bret Langerman, D.O.
C. Michael Ogle, D.O.
Catherine Taylor, J.D.
Katie Templeton, J.D.
LeRoy Young, D.O.

MEMBERS ABSENT

ALSO PRESENT In-Person Attendees:
Christi Aquino, *Board of Osteopathic Examiners*
Gary Augter, D.O.
Lisa Baracker, D.O.
Colin Bumann, D.O.
Paul Cheng, M.D., *OHPP*
W. Edward Clymer, D.O.
Kim Contreras, *Board of Osteopathic Examiners*
Kaylee Davis-Maddy, J.D.
Kelsey Devinney, *Board of Osteopathic Examiners*
John Dill
Daniel Gamino, J.D., *Board General Counsel*
Warren Gotcher, J.D.
Gary Henry
Michael Jade
Thomas Kowalski
John Kuhn, M.D., *OHPP*
Michael Leake Jr., J.D., *Board of Osteopathic Examiners*
Andrew Lovell, D.O.
Behrooz Masvachi
Katelyn Mayberry, *Board of Osteopathic Examiners*
Nathan Mays, J.D.
Mary K. Mercer, D.O.
Mary Middleton
Marvin Perry
J. Patrick Quillian J.D., *Board Special Prosecutor*
Pamela Renfro
Randy Sewell, J.D., *Board of Osteopathic Examiners*

OSBOE Special Meeting, December 8, 2022

Jonathan Schulz
Libby Scott, J.D.
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Janis Womack, *Board of Osteopathic Examiners*
Richard Zimmer, CMBI, *Board of Osteopathic Examiners*

Teleconference Attendees:

Carisa Champion
Michael Conrad
Dustin Davis, D.O.
Lee Davis
Tiffany Hockett, *OHPP*
Alfred Husen, D.O.
Kimberly Johnson
Bernadette Miller, M.D.
Timothy Moser, D.O.
Adam Newborn, D.O.
Ed Rylander
Jeremy Thomas, D.O.
Skylar Turner, D.O.
General Public

PRESIDING: Bret Langerman, D.O., *President*

1. ROLL CALL TO ESTABLISH QUORUM

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

2. WELCOMING SUSAN WINCHESTER, SECRETARY OF LICENSING AND REGULATION

Executive Director for the Board, Michael Leake Jr., announced that due to unforeseen circumstances Secretary Winchester was unable to attend the meeting. Mr. Leake thanked her for her time and service.

3. APPROVAL OF PAST MINUTES

Dr. Langerman asked the members of the Board if they had reviewed the minutes from the Special Quarterly Board Meeting of September 15, 2022. He stated his name needed to be corrected from "J.D." to "D.O." in the "Presiding" notification but asked for any other revisions, additions, or deletions.

<p>Dr. Koehler moved to approve the minutes of the September 15, 2022 Special Quarterly Board Meeting with the change of title mentioned. Ms. Templeton seconded the motion.</p>
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OSBOE Special Meeting, December 8, 2022

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

The motion passed.

4. PROBATION, MONITORING, AND HEARING DOCKET

Gary Augter, D.O.

Dr. Langerman called the matter of Gary Augter, D.O. to order and recognized J. Patrick Quillian, J.D., Board Prosecutor. Dr. Augter appeared in person accompanied by his counsel, Warren Gotcher, J.D. Jonathan Schulz with the Oklahoma Department of Environmental Quality also appeared in person to give testimony. The Hearing proceeded. Testimony was given and Exhibits were reviewed by both parties.

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

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

The motion passed.

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

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

The motion passed.

Dr. Carter moved that there was clear and convincing evidence to support the allegations in the Complaint.
Dr. Young seconded the motion.

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

The motion passed.

Ms. Templeton moved to suspend Dr. Augter's license until the satisfactory completion of the following items. Dr. Augter shall provide evidence of a formal assessment of cognitive ability at a facility approved by Board staff. Dr. Augter shall also successfully complete a course on medical record keeping, pay an administrative fee of ten thousand (10,000) dollars and pay the cost of the Board's investigation. Once these items have been completed by Dr. Augter, he may request to reappear before the Board for further consideration. Board staff was also directed to provide this information to HIPAA for investigation.
Dr. Ogle seconded the motion.

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

The motion passed. The Board directed staff to remove all patient identifiers from items they have in office.

Lisa Baracker, D.O.

Dr. Langerman called the matter of Lisa Baracker, D.O. to order. Dr. Baracker appeared in person to give testimony with counsel of record, Kaylee Davis-Maddy, J.D. Chief Investigator for the Board, Rick Zimmer, appeared in person and gave testimony. Dr. Baracker and Ms. Davis-Maddy asked that the Board consider granting Dr. Baracker a license by equivalency and requested approval for Dr. Baracker to take the COMVEX exam.

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

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

The motion passed.

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

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

The motion passed.

Ms. Templeton moved to grant permission for Dr. Baracker to take the COMVEX exam with the understanding that this exam does not guarantee licensure in the future.
Dr. Young seconded the motion.

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

The motion passed.

Colin Bumann, D.O.

Dr. Langerman called the matter of Colin Bumann, D.O. to order. Dr. Bumann appeared in person to give testimony. Chief Investigator for the Board, Rick Zimmer, appeared in person and gave testimony. The Board considered Dr. Bumann's compliance with his Board Order as well as his request to be removed from probation.

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

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

The motion passed.

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

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

The motion passed.

Ms. Templeton moved to grant Dr. Bumann's request for removal of probation with the condition that Dr. Bumann complete his contract with OHPP and that OHPP will keep the Board updated on status.
Dr. Koehler seconded the motion.

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

The motion passed.

W. Edward Clymer, D.O.

Dr. Langerman called the matter of W. Edward Clymer, D.O. to order and recognized J. Patrick Quillian, J.D., Board Prosecutor. Dr. Clymer appeared in person accompanied by his counsel, Nathan Mays, J.D. Former patient, ST also appeared in person to give testimony. The Hearing proceeded. Testimony was given and Exhibits were reviewed by both parties.

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

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

The motion passed.

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

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

The motion passed.

Ms. Templeton moved that there was clear and convincing evidence to support the allegations in the Complaint, with the exception of Paragraph 3 and 4 which were withdrawn.
Dr. Gilbertson seconded the motion.

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

The motion passed.

Ms. Templeton moved to suspend Dr. Clymer's license indefinitely. Once Dr. Clymer satisfactorily completes the following items, he may request to reappear before the Board to address his suspension. Dr. Clymer shall obtain an evaluation of his cognitive and physical condition at a facility approved by Board staff. Dr. Clymer shall obtain an evaluation of his clinical skills at a facility approved by Board staff. Dr. Clymer shall obtain an evaluation of sexual boundary issues at a facility approved by Board staff. Dr. Clymer shall release results of these evaluations to the Board for review. Dr. Clymer shall also pay the costs of the Board investigation.

Dr. Ogle seconded the motion.

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

The motion passed.

Dustin Davis, D.O.

Dr. Langerman called the matter of Dustin Davis, D.O., to order. Dr. Davis appeared via Teams without counsel. Paul Cheng, M.D. of OHPP appeared in person and gave testimony. Chief Investigator for the Board, Rick Zimmer appeared in person and gave testimony. The Board considered Dr. Davis' compliance with his Board Order. Dr. Davis was informed to next appear in six (6) months.

No motion was made.

Clayton Shane Howell, D.O.

It was announced that the matter of Clayton Shane Howell, D.O. had been continued until further notice.

Andrew Lovell, D.O.

Dr. Langerman called the matter of Andrew Lovell, D.O., to order. Dr. Lovell appeared in person without counsel. John Kuhn, M.D. of OHPP appeared in person and gave testimony. Chief Investigator for the Board, Rick Zimmer appeared in person and gave testimony. The Board considered Dr. Lovell's compliance with his Board Order as well as his request to be removed from probation.

Dr. Young moved to go into Executive Session.

Dr. Koehler seconded the motion.

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

The motion passed.

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

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

The motion passed.

Ms. Templeton moved to grant Dr. Lovell's request for removal of probation with the condition that Dr. Lovell complete his contract with OHPP and that OHPP will keep the Board updated on status.
Dr. Koehler seconded the motion.

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

The motion passed.

Mary Kathryn Mercer, D.O.

Dr. Langerman called the matter of Mary Kathryn Mercer, D.O., to order and recognized Randy Sewell, J.D. as General Counsel for Dr. Mercer's appearance. Dr. Mercer appeared in person with counsel, Libby Scott, J.D. Chief Investigator for the Board, Rick Zimmer appeared in person and gave testimony. Dr. Mercer and Ms. Scott provided an update on the status of Dr. Mercer's Board Order and informed the Board Dr. Mercer had taken the COMVEX exam.

No motion was made.

Jeremy Thomas, D.O.,

Dr. Langerman called the matter of Jeremy Thomas, D.O., to order. Dr. Thomas appeared via Teams without counsel. John Kuhn, M.D. of OHPP appeared in person and gave testimony. Chief Investigator for the Board, Rick Zimmer, also appeared in person and gave testimony. The Board considered Dr. Thomas's compliance with his Board Order. Dr. Thomas was informed to next appear in six (6) months.

No motion was made.

5. LICENSURE & RENEWAL HEARING DOCKET

Ian Huff, D.O.

Dr. Langerman called the matter of Ian Huff, D.O., to order. Dr. Avetisov appeared via Teams and gave testimony. Director of Licensing, Christi Aquino, appeared in person and gave testimony. The Board considered Dr. Huff's application for licensure, which was tabled in June 2022. The Board reviewed requested documentation regarding Dr. Huff's application.

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

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

The motion passed.

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

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

The motion passed.

Ms. Templeton moved to deny Dr. Huff's application for licensure.
Dr. Koehler seconded the motion.

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

The roll call/votes were: Dr. Carter, yes; Dr. Gilbertson, recuse; Dr. Koehler, yes; Dr. Langerman, recuse; Dr. Ogle, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

Adam Newborn, D.O.

Dr. Langerman called the matter of Adam Newborn, D.O., to order. Dr. Newborn appeared in person and gave testimony. Director of Licensing, Christi Aquino, appeared in person and gave testimony. The Board considered Dr. Newborn's application for Oklahoma resident training licensure.

Dr. Young moved to approve Dr. Newborn's application for resident training with the condition that Dr. Newborn provide the Board with his residency rotation evaluations.
Dr. Gilbertson seconded the motion.

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

The motion passed.

Skylar Turner, D.O.

Dr. Langerman called the matter of Skylar Turner, D.O., to order. Dr. Turner appeared via Teams with OU-TU Internal Medicine Program Director, Bernadette Miller, M.D. and gave testimony. Director of Licensing, Christi Aquino, appeared in person and gave testimony. The Board considered Dr. Turner's application for Oklahoma licensure.

Dr. Carter moved to approve Dr. Turner's application for licensure.
Ms. Templeton seconded the motion.

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

The motion passed.

Request for Mid-Level Exception

Alfred Husen, D.O.

Ms. Templeton moved to approve Dr. Husen's request to supervise ten (10) mid-level practitioners as requested.
Dr. Koehler seconded the motion.

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

The roll call/votes were: Dr. Carter, no; Dr. Gilbertson, recuse; Dr. Koehler, yes; Dr. Langerman, recuse; Dr. Ogle, yes; Ms. Taylor, recuse; Ms. Templeton, yes; Dr. Young, no.

The motion passed.

Charles Garriott, D.O.

Ms. Templeton moved to approve Dr. Garriott's request to supervise nine (9) mid-level practitioners as requested.
Dr. Ogle seconded the motion.

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

The roll call/votes were: Dr. Carter, no; Dr. Gilbertson, recuse; Dr. Koehler, yes; Dr. Langerman, recuse; Dr. Ogle, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, no.

The motion passed.

Kevin Penwell, D.O.

Ms. Templeton moved to deny Dr. Penwell's request for additional mid-level supervision as presented.
Dr. Young seconded the motion.

Dr. Langerman 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. Langerman, recuse; Dr. Ogle, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

6. RATIFICATION OF SURRENDERED LICENSES

There were no ratification of surrendered licenses for Board review.

7. RATIFICATION OF APPROVED LICENSES

Dr. Langerman asked the members of the Board if they had reviewed the ratification list for all licenses that have been approved by the Boards Director of Licensing, Christi Aquino, since the last Special Quarterly Board meeting of September 15, 2022.

Dr. Koehler moved to ratify all licenses issued since the September 15, 2022 Board meeting.
Ms. Templeton seconded the motion.

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

The motion passed.

8. REPORTS AND RECOMMENDED ACTIONS
Michael T. Leake, Jr, J.D., Executive Director:

1. Mr. Leake informed the Board that the financial documents were in the materials for review. He informed the Board that he may discuss funds for mental health peer assistance and new furniture soon.
2. Mr. Leake informed the Board that there had been no new E-Prescribing waiver requests since the September 15, 2022 meeting.
3. Mr. Leake stated the Top Twenty Prescribers list was up on Box for the Board to review. The staff provided the Board with the physician's specialty in the data provided.
4. Mr. Leake announced that the requested visual representations of the investigative statistics for the Board are up for review.
5. Mr. Leake stated the licensing department numbers were in the Board Materials for review.
6. Mr. Leake asked the necessary qualifications of a presenter on Proper Prescribing lectures. The Board suggested staff ask the Oklahoma Osteopathic Association to make a presentation on CME at the March 2023 meeting.
7. Mr. Leake introduced the Board and staff members to new Board Investigator Elizabeth Fullbright.

9. OLD BUSINESS

No old business was discussed.

10. NEW BUSINESS

No new business was discussed.

11. PUBLIC COMMENT

No public comment was made.

12. ADJOURNMENT

The meeting was adjourned by consensus at 5:00 pm.