

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

DATE OF MEETING March 18, 2021

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

MEMBERS PRESENT Jay D. Cunningham, D.O., *via Zoom*
Dale Derby, D.O.
Duane G. Koehler, D.O., *via Zoom*
Bret Langerman, D.O.
Carl B. Pettigrew, D.O.
Katie Templeton, J.D.
LeRoy E. Young, D.O.

MEMBERS ABSENT Catherine Taylor, J.D.

ALSO PRESENT In-Person Attendees:
Christi Aquino, *Board of Osteopathic Examiners*
Kim Contreras, *Board of Osteopathic Examiners*
Jeff Cooper, *OCPD*
Kelsey Devinney, *Board of Osteopathic Examiners*
Daniel Gamino, J.D., *Board Legal Advisor*
Allison LaBoeuf-Warren, J.D., *OOA*
Michael Leake Jr., J.D., *Board of Osteopathic Examiners*
Stephen McCaleb, J.D.
John Mobley, CMBI, *Board of Osteopathic Examiners*
Regan Nichols, D.O.
Janis Womack, *Board of Osteopathic Examiners*
Richard Zimmer, CMBI, *Board of Osteopathic Examiners*

 Teleconference Attendees:
Frank Amico, D.O.
Justin Bohall
Ashland Boles, *OHPP*
Lindsay Castro
Paul Cheng, M.D., *OHPP*
David Chorley, D.O.
Steven Crawford, M.D.
Scott Cyrus
Dustin Davis, D.O.
Michael Freeman, D.O.
John Gimpel, D.O.
Caleb Hentges, D.O.
John Kuhn, M.D., *OHPP*
Victor Loria, D.O.
Patricia Mort, D.O.

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Doug Murray, J.D.
Michelle O'Meara, D.O.
Trisza Ray, D.O.
Guillermo Robles, D.O.
Elizabeth Suarez-Montero
Sherri Wise, *OFF*
General Public

PRESIDING: Katie Templeton, J.D., *President*

1. ROLL CALL TO ESTABLISH QUORUM

Katie Templeton, J.D., *President*, called the meeting to order at 9:00 a.m. and announced that a quorum was established.

2. APPROVAL OF PAST MINUTES

Ms. Templeton asked the members of the Board if they had reviewed the minutes from the Quarterly Board Meeting of December 10, 2020. She asked for any additions, corrections or deletions to those minutes.

Dr. Pettigrew moved to approve the minutes of the December 10, 2020 Regular Board Meeting as presented.
Dr. Langerman seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

3. HEARING DOCKET

Regan Nichols, D.O.

Ms. Templeton called the matter of Regan Nichols, D.O., to order. Dr. Nichols appeared in person without counsel. Chief Investigator for the Board, Rick Zimmer, also appeared and gave testimony. Board staff recommended dismissal with the understanding that further Board action could be taken in the event there is a conviction in relation to Dr. Nichols current charges.

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

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

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

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

Dr. Young moved to table Dr. Nichol's dismissal until criminal matters are resolved. Dr. Nichols may be put back on the agenda after her case is resolved for Board to determine resolution.
Dr. Derby seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

James Price, D.O.

Ms. Templeton called the matter of James Price, D.O., to order. Dr. Prices attorney, Stephen McCaleb, J.D., appeared on behalf of Dr. Price. Mr. McCaleb informed the board that Dr. Price would like to surrender his license.

Dr. Pettigrew moved to accept Dr. Price's Affidavit of Surrender with the condition that he pay incurred investigation costs and that his surrender be with prejudice.
Dr. Derby seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

4. PRESENTATIONS

OSBOE Regular Meeting, March 18, 2021
DO NO HARM PRESENTATION

Stephen Crawford, M.D., informed the board about his program, Do No Harm which assists pain management clinicians in proper care and record keeping.

NBOME PRESENTATION

John Gimpel, D.O. and Douglas Murray, J.D. presented updates on behalf of the National Board of Osteopathic Medical Examiners. They announced the COMLEX 2-PE has been indefinitely suspended as a result of input by licensure board and osteopathic medical students.

5. LICENSURE HEARING & REPORTING DOCKET

Applicants for Licensure- Appearing via Zoom

Frank Amico, D.O.

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

Dr. Pettigrew moved to go approve Dr. Amico's application for Oklahoma licensure.
Dr. Koehler seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

Caleb Hentges, D.O.

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

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

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

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

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

Dr. Young moved to table Dr. Hentges application until certain information is received. Board staff is to contact Dr. Hentges prior program, Sanford Health, to obtain detailed answers posed by the boards licensing director and Dr. Hentges full computer audit log. Board staff is also to communication with OSU to get data regarding Dr. Hentges pending employment. Once these items are fulfilled, Dr. Hentges can reappear before the board and they will consider whether remedial action is needed.
Dr. Koehler seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

Victor Loria, D.O.

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

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

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

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

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

Dr. Young moved to grant Dr. Loria's licensure on the condition that he successfully complete a HIPAA training course satisfactory to board staff. Upon completion of this course, Dr. Loria's license will be issued.
Dr. Derby seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

Patricia Mort, D.O.

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

Dr. Pettigrew moved to approve Dr. Mort's application for Oklahoma licensure.
Dr. Langerman seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

Trisza Ray, D.O.

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

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

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

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

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

Dr. Young moved to table Dr. Ray's application for licensure. The board asks that Dr. Ray provide board staff with results of physical, mental, and clinical examinations that show Dr. Ray is fit to practice medicine and surgery. Once these are received, Dr. Ray may reappear before the board so they can re-evaluate her application for licensure.
Dr. Pettigrew seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

Guillermo Robles, D.O.

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

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

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

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

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

Dr. Koehler moved to approve Dr. Robles' application for Oklahoma licensure.
Dr. Derby seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

The roll call/votes were: Dr. Cunningham, yes; Dr. Derby, yes; Dr. Koehler, yes; Dr. Langerman, yes; Dr. Pettigrew, no; Ms. Taylor, abs; Ms. Templeton, yes; Dr. Young, no.

The motion passed.

6. PROBATION & MONITORING HEARING DOCKET

David Chorley, D.O.

Ms. Templeton called the matter of David Chorley, D.O., to order. Dr. Chorley appeared via Zoom without counsel. Special Investigator for the Board, John Mobley, also appeared in person and gave testimony. The Board considered Dr. Chorley's compliance with his Order of Probation.

Dr. Pettigrew moved to terminate Dr. Chorley's Order of Probation for good cause shown.
Dr. Langerman seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

Dustin Davis, D.O.- continued to June 17, 2021 due to time constraints.

Michael Freeman, D.O.- continued to June 17, 2021 due to time constraints.

Michelle D. O'Meara, D.O.

Ms. Templeton called the matter of Michelle D. O'Meara, D.O., to order. Dr. O'Meara appeared via Zoom without counsel. Investigator for the Board, Rick Zimmer appeared in person and gave testimony. John Kuhn, M.D., and Paul Cheng, M.D., of OHPP also appeared via Zoom 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. Dr. O'Meara requested the board provide a letter of compliance to Pennsylvania where she has been offered a job.

Dr. Cunningham 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. Cunningham, yes; Dr. Derby, yes; Dr. Koehler, yes; Dr. Langerman, yes; Dr. Pettigrew, yes; Ms. Taylor, abs; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

Dr. Cunningham 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. Cunningham, yes; Dr. Derby, yes; Dr. Koehler, yes; Dr. Langerman, yes; Dr. Pettigrew, yes; Ms. Taylor, abs; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

Ms. Templeton moved that for a letter of compliance to be drafted for Dr. O'Meara, she is to pay a reduced fine of fifteen thousand (15,000) dollars to the board. Once that fine is paid, the Executive Director has the authority to share the compliance letter with the Pennsylvania Board of licensure. Dr. O'Meara's probation in Oklahoma is to be tolled once she relocates and will not be resumed unless she moves back to Oklahoma.
Dr. Young seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

7. DISCUSSION AND POSSIBLE ACTION

Mr. Leake announced that due to Mr. Gamino's recusal of a case being heard in June 2021, the board needed a substitute legal advisor for the hearing. Mr. Leake recommended Randy Sewell, J.D. The board considered this recommendation.

Dr. Pettigrew moved to accept this recommendation at rates of eighty (80) dollars an hour for preparation and one hundred (100) dollars an hour for the hearing.
Dr. Koehler seconded the motion.

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

8. EXECUTIVE SESSION

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

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed.

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

Ms. Templeton called for the votes on the motion and a roll call.

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

The motion passed. The board returned from executive session and no further action was taken.

9. REPORTS AND RECOMMENDED ACTIONS

Michael T. Leake, Jr, J.D., Executive Director:

1. Mr. Leake informed the board the financial reports were in their board materials and they were accepted by consensus.
2. Mr. Leake announced that the January 1, 2014 – June 30, 2019 operational audit for the agency had been completed and the official report was in the board materials. He announced that all recommendations made by the Auditors office had been implemented and that new policies and procedures were in process.
3. Mr. Leake informed the board that there are currently three thousand four hundred and thirty-six (3,436) licensees active.
4. Mr. Leake told the board that the Emergency Temporary licenses still active have an expiration date of April 30, 2021 set.

5. Mr. Leake announced to the board that there have been (7) E-prescribing waivers issued since the last meeting of December 10, 2020.
6. Mr. Leake provided the board with information regarding Thentia and noted that the agency has had positive feedback regarding this system.
7. Mr. Leake gave the board a legislative update and informed them that Physicians Assistant (PA) legislation is still ongoing.

General Counsel Gamino:

Mr. Gamino informed the Board he had no new reports.

John Kuhn, M.D., Oklahoma Health Professionals Program (OHPP):

Dr. Kuhn gave a presentation from OHPP with program updates. This presentation also showed that over a twenty-five (25) year average Osteopathic physicians that have participated in the program have had a success rate greater than ninety (90) percent.

Allison LaBoeuf-Warren, J.D., Oklahoma Osteopathic Association (OOA):

Ms. LaBouef-Warren introduced herself to the board and announced that she had began her role as Executive Director of the OOA in January 2021. She also invited the board to visit with her about any questions on upcoming legislation.

10. OLD BUSINESS

No old business was discussed.

11. NEW BUSINESS

No new business was discussed.

12. PUBLIC COMMENT

No public comment was made.

13. ADJOURNMENT

The meeting was adjourned by consensus at 4:30 p.m. The next meeting is June 17, 2021, at 9:00 a.m.