

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

**June 16, 2016**

**DATE OF MEETING** June 16, 2016

**PLACE OF MEETING** Oklahoma Board of Osteopathic Examiners  
4848 N. Lincoln  
Oklahoma City, OK

**MEMBERS PRESENT** Dennis J. Carter, D.O.  
Jay D. Cunningham, D.O.  
Gordon P. Laird, D.O.  
C. Michael Ogle, D.O.  
Carl B. Pettigrew, D.O.  
Catherine C. Taylor, J.D.  
Katie Templeton, J.D.  
LeRoy E. Young, D.O.

**MEMBERS ABSENT**

**ALSO PRESENT** Christi Aquino, *Board of Osteopathic Examiners*  
Christopher Blaisdell, D.O.  
Sherry Boyce, J.D.  
Deborah J. Bruce, J.D., *Board of Osteopathic Examiners*  
David Chorley, D.O.  
Mrs. Chorley  
William Clymer, D.O.  
Kim Contreras, *Board of Osteopathic Examiners*  
Kelsey Devinney, *Board of Osteopathic Examiners*  
Brandon Drabek, D.O.  
R. Scott Dycus, D.O.  
Susan Fennimore, *DNR Reporting*  
Melonie Ferry, D.O.  
Daniel Gamino, J.D., *Board Legal Advisor*  
Carol Hanson, D.O.  
Dustin Hayes, D.O.  
Ryan Hearne, J.D.  
Anthony Hendrn, J. D.  
Patricia High, J.D., *Special Prosecutor for the Board*  
Eric Hogan, D.O.  
Lana Ivy, *OOA*  
Merlin, Kilbury, M.D., *OHPP*  
Corinne Kilbury  
John Kushner, DEA  
Joshua Livingston, D.O.  
Yvonne Lozano, *OHPP*  
Steven Medeiros, D.O.  
Shirley Medeiros  
Mary Kathryn Mercer, D.O.  
John Mobley, *Board Investigator*  
Jared K. Nelson, J.D.  
Regan Nichols, D.O.

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Melvin Robison, D.O.  
Stephanie Robison  
Ginger Schickedanz, DEA  
Libby Scott, J.D.  
Richard Zimmer, *Board of Osteopathic Examiners*  
General Public

**PRESIDING:** Jay D. Cunningham, D.O. *President*

**1. CALL TO ORDER & ESTABLISH QUORUM**

Jay D. Cunningham, D.O., *President*, called the meeting to order at 8:30 a.m. and announced that a quorum was established.

**2. APPROVAL OF MINUTES**

Dr. Cunningham asked the members of the Board if they had reviewed the minutes from the Quarterly Board Meeting of March 17, 2016 and from the Special Meeting on Rules of March 17, 2016, held at 4:30 p.m. He asked for any additions, corrections or deletions to those minutes.

Ms. Templeton moved to approve the minutes of the March 17, 2016, Quarterly Board Meeting and the minutes from the Special Meeting (Rules) of March 17, 2016, as submitted. Dr. Ogle seconded the motion.

Dr. Cunningham 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. Laird, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

**3. REPORTS**

**A. EXECUTIVE DIRECTOR REPORT**

Ms. Bruce made housekeeping announcements and introduced the new employees for the Board, Kelsey Devinney, Kim Contreras and part time staff assistant, Tim O'Quin. She also reported that 65% of osteopathic physicians had renewed their licenses as of this date. Finally, she advised the Board that their proposed Rules had been approved by the Governor.

**B. BUDGET**

Ms. Bruce advised the Board that the financial documents they were presented prepared by OMES and that the Budget for fiscal year 2017-18 was completed and submitted. There was no motion.

**4. TELEMEDICINE POLICY**

Dr. Cunningham appointed a committee oversee the final draft of telemedicine guidelines. The staff is to add the state prescribing mandates for the PMP. In addition, because of the widespread abuse of antibiotics, in-person contact is a prerequisite to prescribing them. Once the amendments to the current policy are added, the committee is to review.

Dr. Young moved to adopt the telemedicine guidelines as amended by the committee with a final vote at the December 8, 2016 Board Meeting.  
Ms. Templeton seconded the motion.

Dr. Cunningham 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. Laird, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

**5. PROBATION/MONITORING APPEARANCES**

Dr. Cunningham delegated the duty of presiding over all hearings on this date to General Counsel, Daniel Gamino. Mr. Gamino swore in all witnesses.

**Regan G. Nichols, D.O.**

Dr. Cunningham called the matter of Regan G. Nichols, D.O. to order. Dr. Nichols appears in person without counsel. Chief Investigator for the Board, Richard Zimmer, also appears and gives testimony. The Board considered Dr. Nichols compliance with her Order of Probation of 9/17/15. They also considered the CPEP Evaluation of Medical Records Review provided by Dr. Nichols.

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

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

The roll call/votes were: Dr. Carter, yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed. All Staff and visitors left the room.

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

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

The roll call/votes were: Dr. Carter, yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

The Board again expressed their concern over Dr. Nichols' failure to communicate with Board Staff and failure to cease supervising mid-level practitioners.

Dr. Young moved that Dr. Nichols is assessed an Administrative Fine of \$1000 which is to be paid within thirty (30) days of the effective date of this Order. Dr. Nichols was further ordered to obtain and provide the results of a cognitive evaluation by a physician selected by Board Staff. She is to report to Board Staff and communicate regularly.  
Dr. Carter seconded the motion.

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

The roll call/votes were: Dr. Carter, yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

**Joshua J. Livingston, D.O.**

Dr. Cunningham called the matter of Joshua J. Livingston, D.O. to order. Dr. Livingston appears in person without counsel. Dr. Merlin Kilbury of OHPP appears on behalf of Dr. Livingston. Board Investigator John Mobley also appears and gives testimony. The Board addressed Dr. Livingston's compliance with his Order of Probation of 3/21/13 and his request to administer suboxone. At the conclusion of the session, Dr. Livingston was noticed to appear in September having submitted a plan to administer suboxone prior to the meeting.

No motion was made.

**David N. Chorley, D.O.**

Dr. Cunningham called the matter of David Chorley, D.O. to order. Dr. Chorley appears in person without counsel. Board Investigator, John Mobley, also appeared and gave testimony. The Board addressed Dr. Chorley's compliance with his Order of suspension with Conditions of 1/29/16. Dr. Chorley was notified that he would not need to appear at the September meeting.

No motion was made.

**D. Scott Dycus, D.O.**

Dr. Cunningham called the matter of D. Scott Dycus, D.O. to order. Dr. Dycus appears in person without counsel. The Board's Chief Investigator, Richard Zimmer, also appeared and gave testimony. The Board addressed Dr. Dycus' compliance with his Amended Order with

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Conditions of 4/16/15. The Board admonished Dr. Dycus and notified him to have his CPEP Plan in place by the next meeting.

No motion was made.

**Steven Paul Medeiros, D.O.**

Dr. Cunningham called the matter of Steven Paul Medeiros, D.O. to order. Dr. Medeiros appears in person without counsel. The Board's Chief Investigator, Richard Zimmer, appeared and gave testimony. The Board addressed Dr. Medeiros' compliance with his Order of Monitoring of 06/18/15. Dr. Medeiros was notified that he should next appear at the December Board meeting.

No motion was made

**Christopher Scott Blaisdell, D.O.**

Dr. Cunningham called the matter of Christopher S. Blaisdell to order. Dr. Blaisdell appears in person without counsel. Dr. Merlin Kilbury of OHPP appears on behalf of Dr. Blaisdell. The Board's Chief Investigator Richard Zimmer also appears and gives testimony.

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

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

The roll call/votes were: Dr. Carter, yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed. All Staff and visitors left the room.

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

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

The roll call/votes were: Dr. Carter, yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

Dr. Carter moved that based upon the admissions and testimony today, Dr. Blaisdell's license shall be revoked  
Ms. Templeton seconded the motion.

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

The roll call/votes were: Dr. Carter, yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

**Matthew M. McTague, D.O.**

Dr. Cunningham called the matter of Matthew McTague, D.O. to order. Dr. McTague appears in person without counsel. Dr. Robert Westcott of OHPP appears on behalf of Dr. McTague. Board Investigator, John Mobley, also appeared and gave testimony. The Board addressed Dr. McTague's compliance with his Agreed Order of 12/10/15. Dr. McTague was notified that he should next appear at the December Board meeting.

**Brandon Scott Drabek, D.O.**

Dr. Cunningham called the matter of Brandon Drabek, D.O. to order. Dr. Drabek appears in person without counsel. Board Investigator, John Mobley, also appeared and gave testimony. The Board addressed Dr. Drabek's compliance with his Agreed Order of 9/17/15. Dr. Drabek was notified that he should next appear at the September Board meeting.

**Eric Hogan, D.O.**

Dr. Cunningham called the matter of Eric Hogan, D.O. to order. Dr. Hogan appears in person accompanied by his counsel of record, Warren Goetcher. Dr. Robert Westcott of OHPP appears on behalf of Dr. Hogan. The Board's Chief Investigator, Richard Zimmer, also appeared and gave testimony. The Board considered Dr. Hogan's compliance with his two (2) year Agreed Order June 6/19/14.

Dr. Ogle moved to terminate the probation of Dr. Eric Hogan.  
Dr. Young seconded the motion.

Dr. Cunningham called for the votes on the motion.

The roll call/votes were: Dr. Carter yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

**6. LICENSURE MATTERS - Request for Name Change**

The Board considered the request for name change of the following:

Rachelle Davis, D.O. to **Dawn Rachelle Wilson, D.O.**

Dr. Pettigrew moved to approve the name change as requested.  
Dr. Ogle seconded the motion.

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Dr. Cunningham called for the votes on the motion.

The roll call/votes were: Dr. Carter yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

## 7. PRECEPTOR APPEARANCES

### William Clymer, D.O.

Dr. Cunningham called the matter of William Clymer, D.O. to order. Dr. Clymer appears in person with his counsel of record, Sherry Boyce. Dr. Merlin Kilbury of OHPP appears on behalf of Dr. Clymer. The Board's Chief Investigator, Richard Zimmer, also appeared and gave testimony. The Board addressed the status of Dr. Clymer's Preceptorship.

Dr. Young moved to order Dr. Clymer to take the COMVEX Exam and have the results reported at the Board Meeting following receipt of those results.  
Dr. Carter seconded the motion.

Dr. Cunningham called for the votes on the motion.

The roll call/votes were: Dr. Carter yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

## 8. HEARING DOCKET

### Mary Kathryn Mercer, D.O.

Dr. Cunningham called the matter of Mary Kathryn Mercer, D.O. to order and recognized Patricia High, Board Prosecutor. Ms. High presented the Board with an Agreed Order and asked the Board to approve it. Dr. Mercer appeared in person accompanied by her counsel of record, Ryan Hearne.

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

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

The roll call/votes were: Dr. Carter, yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed. All Staff and visitors left the room.

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

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

The roll call/votes were: Dr. Carter, yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, yes;  
Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

Dr. Ogle moved to approve the Agreed Order with one amendment.  
Ms. Templeton seconded the motion.

Dr. Cunningham called for the votes on the motion.

The roll call/votes were: Dr. Carter yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, yes;  
Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

**Melonie D. Ferry, D.O.**

Dr. Cunningham called the matter of Melonie Ferry, D.O. to order and recognized Patricia High, Board Prosecutor. Ms. High presented the Board with a Remedial Agreed Order of Deferred Prosecution and asked the Board to approve it. Dr. Ferry appeared in person accompanied by her counsel, Jared Nelson.

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

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

The roll call/votes were: Dr. Carter, yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, yes;  
Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed. All visitors left the room.

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

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

The roll call/votes were: Dr. Carter, yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, yes;  
Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.



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The motion passed.

Ms. Templeton moved to approve the Remedial Agreed Order of Deferred Prosecution.  
Dr. Pettigrew seconded the motion.

Dr. Cunningham called for the votes on the motion.

The roll call/votes were: Dr. Carter yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, yes;  
Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

**Melvin L. Robison, D.O.**

Dr. Cunningham called the matter of Melvin L. Robison, D.O. to order and recognized Patricia High, Board Prosecutor. Dr. Ogle recused and left the room. Dr. Robison appears in person accompanied by his counsel, Elizabeth Scott of Crowe Dunlevy. The Hearing proceeded. Testimony and Exhibits were considered.

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

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

The roll call/votes were: Dr. Carter, yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, recused; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed. All Staff and visitors left the room.

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

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

The roll call/votes were: Dr. Carter, yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, recused; Dr. Pettigrew, 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 Amended Complaint.  
Ms. Templeton seconded the motion.

Dr. Cunningham called for the votes on the motion.

The roll call/votes were: Dr. Carter yes; Dr. Cunningham, yes; Dr. Laird, no; Dr. Ogle, recused; Dr. Pettigrew, no; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

Ms. Templeton moved to place Dr. Robison on a 5 year term of probation without authority to prescribe administer or dispense any controlled substances. Dr. Robison is to take and successfully complete CME courses on proper prescribing and medical records. He is also ordered to pay costs.

Dr. Young seconded the motion.

Dr. Cunningham called for the votes on the motion.

The roll call/votes were: Dr. Carter yes; Dr. Cunningham, no; Dr. Laird, no; Dr. Ogle, recused; Dr. Pettigrew, no; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

### **Greg Rampey, D.O.**

Dr. Cunningham called the matter of Greg Rampey, D.O. to order and recognized Patricia High, Board Prosecutor. Ms. High announced the Hearing had been continued by agreement.

### **Carol Hanson, D.O.**

Dr. Cunningham called the matter of Carol Hanson, D.O. to order and recognized Patricia High, Board Prosecutor. Ms. High announced the Hearing had been continued by agreement.

## **9. APPLICANTS FOR LICENSURE – APPEARANCES**

### **Tyler Edward Tait, D.O.**

Dr. Cunningham called the matter of Tyler Edward Tait, D.O., applicant for licensure, to order. Dr. Tait appeared in person and answered questions about his application.

Dr. Laird moved to approve licensure for Dr. Tait.  
Dr. Ogle seconded the motion.

Dr. Cunningham called for the votes on the motion.

The roll call/votes were: Dr. Carter, yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

## **10. APPLICANTS FOR LICENSURE - NOT APPEARING**

The Board reviewed one-hundred-fifty (150) new applicant licensure files. The Board also considered the licenses that had been Fast-tracked since the last meeting.

Dr. Young moved to grant the request of the one-hundred-fifty (150) applicants to practice osteopathic medicine in the state of Oklahoma, pending completion of their licensure files satisfactory to Board Staff; and to ratify the fast-tracked licenses.  
Dr. Carter seconded the motion.

Dr. Cunningham called for a roll call vote on the motion.

The roll call/votes were: Dr. Carter, yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

## **11. OLD BUSINESS**

1. Dr. Carter reported that the Board sponsored Pain Management Track presented at the OOA Annual Meeting was very successful and highly rated by the attendees.

2. The Board heard the Committee report on Applicants with CDS prescriptions and directed the staff to continue scrutiny of those applications and to submit them to the Case Review Committee if they are on Fast Track.

3. The FSMB Annual Meeting Report was given by Dr. Cunningham and Ms. Templeton

## **12. NEW BUSINESS**

1. Board & Staff Activities & Honors sheet was distributed.

2. Dr. Young updated the Board on coming Legislation.

3. The Board directed the staff to explore a link for Website Updating and report at the next meeting.

## **13. ELECTION OF OFFICERS**

Ms. Templeton moved to approve the current slate of officers for another year: Dr. Cunningham, President; Dr Young, Vice-President; Dr. Ogle, Treasurer.  
Dr. Carter seconded the motion.

Dr. Cunningham called for the votes on the motion.

The roll call/votes were: Dr. Carter, yes; Dr. Cunningham, yes; Dr. Laird, yes; Dr. Ogle, yes; Dr. Pettigrew, yes; Ms. Taylor, yes; Ms. Templeton, yes; Dr. Young, yes.

The motion passed.

## **14. ADJOURNMENT**

Dr. Young moved to adjourn  
Ms. Taylor seconded the motion.

Dr. Cunningham called for the votes on the motion.

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

The motion passed and the meeting adjourned at 7:00 p.m.