

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

April 16, 2015

DATE OF MEETING April 16, 2015

PLACE OF MEETING Oklahoma Osteopathic Board Offices
4848 N. Lincoln
Oklahoma City, OK 73105

MEMBERS PRESENT Jay D. Cunningham, D.O.
C. Michael Ogle, D.O.
Carl B. Pettigrew, D.O.
Katie Templeton, J.D.
LeRoy E. Young, D.O.

MEMBERS ABSENT Dennis Carter, D.O.
Gordon Laird, D.O.
Catherine Taylor, J.D.

ALSO PRESENT

Christi Aquino, *Board of Osteopathic Examiners*
Deborah J. Bruce, J.D., *Board of Osteopathic Examiners*
Brittney Covert, *Board of Osteopathic Examiners*
D. Scott Dycus, D.O.
Susan Fenimore, DNR Reporting
Daniel Gamino, *Board General Counsel*
Malinda Matlock, J.D.
Jacqueline McCormick, J.D.
Richard A. Mildren, *Board Prosecuting Attorney*
Alex Oblein, *Board of Osteopathic Examiners*
Thomas Pickard, *Board Medical Advisor*
Tristan Walker, *Board of Osteopathic Examiners*
Richard L. Zimmer, *Board of Osteopathic Examiners*

PRESIDING Carl B. Pettigrew, D.O., *President*

1. CALL TO ORDER, QUORUM ESTABLISHED

Carl B. Pettigrew, D.O., President, called the meeting to order at 2:00 p.m. and announced a quorum was established.

2. HEARING

D. Scott Dycus, D.O.
Case No. 0112-10

Dr. Pettigrew recognized Richard Mildren, Prosecuting Attorney for the Board. Mr. Mildren submitted a Complaint against Dr. Dycus and asked consideration of the matter in a specially set hearing. Mr. Mildren presented the Complaint and swore in all witnesses. The Hearing proceeded. The Complaint and twenty-one

States Exhibits were admitted into evidence and Chief Investigator, Richard Zimmer and Dr. Dycus testified. Four Exhibits were admitted into evidence by the Respondent.

The Hearing concluded.

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

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

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

The Motion passed and all guests, staff, and visitors left the room. The doors opened and everyone re-entered the hearing room.

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

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

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

The Motion passed.

Dr. Ogle moved that the allegations in the complaint had been proven by clear and convincing evidence.
Dr. Cunningham seconded the motion.

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

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

The Motion passed.

Dr. Ogle moved that the following sanctions: 1. Suspension of all CDS subscribing privileges until further review; 2. An assessment of clinical skills by a facility acceptable to Board Staff; Successful completion of CMEs on Medical Record Keeping and Proper Prescribing at Case Western or its equivalent.
Dr. Young seconded the motion.

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

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

The Motion passed.

3. NEW BUSINESS

1. The Board considered a request from Okla. Dept. of Veterans Affairs to permit Michael Whinery, D.O., (License #2122) to supervise mid-level practitioners.

Dr. Cunningham moved that the request be denied.
Dr. Ogle seconded the motion.

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

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

The Motion passed.

2. Ms. Bruce distributed the OSBOE Annual Report which had been prepared for OOA Annual Meeting.

3. The Board considered the new law, OK Health Care Providers' Responsibilities under Certain Medical Treatment Laws. The Board accepted the General Counsel's opinion on the application of this law to D.O.'s. It was determined to seek legislative assistance for adding D.O.'s to the law at the next legislative session.

4. ADJOURNMENT

Dr. Young moved to adjourn the meeting.
Dr. Ogle seconded the motion.

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

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

The Motion passed and the meeting adjourned at 5:45 p.m.