

OKLAHOMA STATE BOARD OF OSTEOPATHIC EXAMINERS

QUARTERLY MEETING MINUTES

JUNE 19, 2008

DATE OF MEETING June 19, 2008

PLACE OF MEETING Oklahoma State Board of Osteopathic Examiners Office (OSBOE)
4848 North Lincoln Boulevard, Suite 100
Oklahoma City, Oklahoma 73105

MEMBERS PRESENT Paul F. Benien, Jr., D.O.
Gordon P. Laird, D.O.
Carl B. Pettigrew, D.O.
Thomas R. Pickard, D.O.
James P. Riemer, D.O.
Catherine C. Taylor, J.D.
Cheryl A. Vaught, J.D.

MEMBERS ABSENT B. Frank Shaw, Jr., D.O.

ALSO PRESENT Lanny Anderson, M.D., *Ok Health Professionals Program*
Theron Bliss, D.O.
Tony L. Brown, D.O.
Deborah J. Bruce, J.D., *Board of Osteopathic Examiners*
Robert Paul Chandler, D.O.
Pamela J. Cook, *Board of Osteopathic Examiners*
Gary Raymond Denny, D.O.
Melton Edminsten, *Bureau of Narcotics*
Susan Fennimore, *Court Reporter*
Daniel J. Gamino, *Board Legal Consultant*
Troy Harden, D.O., *Guest*
Gordon Scott Jones, D.O.
Merlin J. Kilbury, M.D., *Ok Health Professionals Program*
Corrine Kilbury, *Guest*
Jess McCullough, *Board of Osteopathic Examiners*
Lynette C. McLain, *Oklahoma Osteopathic Association*
Richard A. Mildren, *Board Prosecuting Attorney*
Eric S. Mills, D.O.
Patrice E. Mooney, D.O.
Samara Mohamed, D.O.
Howard J. Perkins, *Attorney*
Barbara Shepherd, *Board of Osteopathic Examiners*
Mona Spivey, *Oklahoma Osteopathic Association*
Jason Max Taylor, D.O.
Hugh D. Tidler, *Board of Osteopathic Examiners*
Jay P. Walters, *Attorney*
E. Robin Western, D.O.
General Public

PRESIDING Cheryl A. Vaught, *President*

1. CALL TO ORDER

Cheryl Vaught, President, called the meeting to order at 9:00 a.m.
(Daniel Gamino, Legal Counsel, swore in all respondents and witnesses.)

2. APPROVAL OF MINUTES

Ms. Vaught asked the members of the Board to review the minutes from the quarterly board meeting of March 20, 2008. Ms. Vaught asked for any additions, corrections or deletions to the minutes.

Dr. Laird moved to approve the minutes of the March 20, 2008 quarterly board meeting.
Dr. Benien seconded the motion.

Ms. Vaught called for the votes on the motion to approve the minutes and a roll call.

The roll call/votes were: Dr. Benien, yes; Dr. Laird, yes; Dr. Pettigrew, yes; Dr. Pickard, yes; Dr. Riemer, yes; Dr. Shaw, absent; Ms. Taylor, yes; Ms. Vaught, yes.

The motion passed.

3. REPORTS

A. PRESIDENT'S REPORT

Ms. Vaught reported that she and Dr. Pickard had attended the FSMB National Conference in San Antonio, Texas and praised the quality of the program. She also reported the continuing national focus on maintenance of licensure and competency issues.

B. OOA EXECUTIVE DIRECTOR REPORT

Ms. McLain reported that OOA had received accreditation from AOA as a CME provider. This certifies them as an approved provider for another three years. She thanked the Board for their continuing support of the Association.

C. EXECUTIVE DIRECTOR REPORT

Ms. Bruce distributed a statistical report identifying the disposition of all adverse reports on D.O.'s during the first one-half of 2008. She also reported the website: www.osboe.ok.gov is up and running with few glitches and that it will be regularly updated. She advised the Board that staff would prepare a presentation about on-line renewal for the September Board Meeting.

D. BUDGET

Ms. Bruce reported that the Agency had received a temporary allotment and that final budget figures would be available at the September Board Meeting. Dr. Pettigrew was appointed to meet with staff to review requests for FY 2009.

4. PRECEPTORSHIP APPEARANCES

Patrice E. Mooney, D.O.

Ms. Vaught called the individual hearing of Patrice E. Mooney, D.O. to order and discussion followed.

Dr. Mooney was present and accompanied by her attorney, Howard Perkins, of Perkins & Associates, and her preceptor, Dr. Troy Hardin. All three testified.

No motion was made.

Walter Stevens Strode, D.O.

Dr. Strode was not present. His case will be re-scheduled upon receipt of his written request for a hearing.

5. PROBATION APPEARANCES

R. Paul Chandler, D.O.

Ms. Vaught called the individual hearing of R. Paul Chandler, D.O. to order and discussion followed.

Dr. Chandler was present and accompanied by his attorney, Jay Walters, of Walters Law Firm. Both testified.

No motion was made.

Robin Western, D.O.

Dr. Western was not present due to his hospitalization. The case was continued.

Samara H. Mohamed, D.O.

Ms. Vaught called the individual hearing of Samara H. Mohamed, D.O. to order and discussion followed.

Dr. Mohamed was present and testified. As requested, she verified her social security number.

No motion was made.

Tony L. Brown, D.O.

Ms. Vaught called the individual hearing of Tony L. Brown, D.O. to order and discussion followed.

Dr. Brown was present and accompanied by Dr. Merlin Kilbury of OHPP. Both testified.

No motion was made.

G. Raymond Denny, D.O.

Ms. Vaught called the individual hearing of G. Raymond Denny, D.O. to order and discussion followed.

Dr. Denny was present and accompanied by Dr. Merlin Kilbury of OHPP. Both testified.

No motion was made.

Gordon Scott Jones, D.O.

Ms. Vaught called the individual hearing of Gordon Scott Jones, D.O. to order and discussion followed.

Dr. Jones was present and accompanied by Dr. Merlin Kilbury of OHPP. Both testified.

No motion was made.

6. OLD BUSINESS

1. Specialty Codes – The final version was distributed by separate handout.
2. The staff reported on the cost of shredding and that there was a state contract for the practice. The Board directed staff to also explore recycling.
3. With respect to the CME approval process, President Vaught appointed a CME Task Force to be chaired by Dr. Benien and to include Ms. Taylor and herself. The Board requested that Mr. Gamino write a policy on Proper Prescribing.

7. NEW BUSINESS

1. HIPDB/NPDB – Staff discussed data bank disciplinary reports and requirements for appropriate transfer of information. The Board was encouraged to integrate the data bank codes into their motions and orders.
2. The FSMB Summary of Board Actions was distributed and the data requested for the report from the Board noted.
3. Dr. Benien and Mr. Gamino made a presentation on the roles and responsibilities of members of a Board.
4. The Board discussed with staff the process to be used for late renewals. Staff was instructed to proceed in the same manner as years past. There would be no grace period and no waiver of late fees.
5. The problems inherent with internet prescribing were discussed with the Board by the Chief Investigator.
6. A letter of resignation with appreciation was received from Dr. Biczak.
7. Board and Staff Activities and Honors for the last three months were distributed.
8. Cara Riley, D.O. submitted a written request for exemption from CME requirements for 2008.

Dr. Benien moved to approve the request for exemption from 2008 CME requirements for Dr. Cara Riley.
Dr. Pettigrew seconded the motion.

Ms. Vaught called for the votes to approve the motion.

The votes were: Dr. Benien, yes; Dr. Laird, yes; Dr. Pettigrew, yes; Dr. Pickard, yes; Dr. Riemer, yes; Dr. Shaw, absent; Ms. Taylor, yes; Ms. Vaught, yes.

The motion passed.

9. The statutory duty of a physician to report suspected child abuse was presented to the Board by the Chief Investigator. Mr. Tidler reported that a D.O. had narrowly avoided criminal prosecution for failing to meet the statutory requirements. The staff was directed to draft a remedial Letter of Concern to the subject physician.

8. REPORT OF NOMINATING COMMITTEE

Dr. Reimer, Chairman, reported from the nominating committee which included Dr. Benien and Dr. Pickard. The following slate for September, 2008 through June, 2009 was proposed:

- Dr. Pickard – President
- Ms. Taylor – Vice President
- Dr. Shaw – Secretary/Treasurer

ELECTION OF OFFICERS

Dr. Benien moved to elect the proposed slate of new officers.
Dr. Pettigrew seconded the motion.

Ms. Vaught called for the votes to approve the motion.

The votes were: Dr. Benien, yes; Dr. Laird, out; Dr. Pettigrew, yes; Dr. Pickard, yes; Dr. Riemer, yes; Dr. Shaw, absent; Ms. Taylor, yes; Ms. Vaught, yes.

The motion passed.

9. HEARING DOCKET - Individual Proceedings / Disciplinary Actions

James N. Hall, III, D.O.

Dr. Hall was not present. His case will be re-scheduled upon receipt of his written request.

Robert L. Goodman, D.O.

Ms. Vaught called the individual hearing of Robert L. Goodman, D.O. to order and discussion followed.

Dr. Goodman was present and presented an Affidavit for Surrender of License in lieu of disciplinary action.

Dr. Pickard moved for approval to accept the Affidavit for Surrender of License.
Dr. Riemer seconded the motion.

Ms. Vaught called for the votes to approve the motion.

The votes were: Dr. Benien, yes; Dr. Laird, out; Dr. Pettigrew, yes; Dr. Pickard, yes; Dr. Riemer, yes; Dr. Shaw, absent; Ms. Taylor, yes; Ms. Vaught, yes.

The motion passed.

Richard D. Coffman, D.O.

Dr. Coffman was not present. His request for reinstatement will be scheduled upon receipt of his written request to be placed on the docket.

Susan S. Staudt, D.O.

Ms. Vaught called the individual hearing of Susan S. Staudt, D.O. to order and discussion followed.

Dr. Staudt was not present. Mr. Mildren presented an Agreed Order wherein the Board would accept the resignation of Dr. Staudt in order for her to avoid further disciplinary action. It was noted that the Order would not be final until it contained the signature of Dr. Staudt's attorney, Robert Sartin.

Dr. Pettigrew moved to accept the Agreed Order of Resignation contingent upon it being signed by Dr. Staudt's attorney, Robert Sartin.
Ms. Taylor seconded the motion.

Ms. Vaught called for the votes to approve the motion.

The votes were: Dr. Benien, yes; Dr. Laird, out; Dr. Pettigrew, yes; Dr. Pickard, yes; Dr. Riemer, yes; Dr. Shaw, absent; Ms. Taylor, yes; Ms. Vaught, yes.

The motion passed.

Mark G. Kantzler, D.O.

Ms. Vaught called the individual hearing of Mark G. Kantzler, D.O. to order and discussion followed.

Dr. Kantzler was not present. Mr. Mildren presented an Agreed Order of reciprocal discipline with the Florida Osteopathic Board.

Dr. Pickard moved for approval of the Agreed Order of reciprocal discipline.
Ms. Taylor seconded the motion.

Ms. Vaught called for the votes to approve the motion.

The votes were: Dr. Benien, yes; Dr. Laird, out; Dr. Pettigrew, yes; Dr. Pickard, yes; Dr. Riemer, yes; Dr. Shaw, absent; Ms. Taylor, yes; Ms. Vaught, yes.

The motion passed.

10. LEGISLATIVE UPDATE

Ms. Bruce reported there was no significant legislation last session that directly affected the Board.

11. APPLICANTS FOR LICENSURE & APPEARANCES:

Jason Max Taylor, D. O.

The Board considered the license application of Dr. Taylor who appeared in person. Dr. Taylor reported that he has been disciplined by the Texas Osteopathic Board and is awaiting full licensure from that Board.

Dr. Pickard moved to approve the licensure application contingent upon Dr. Taylor receiving licensure through Texas and complying with his contract with OHPP.
Dr. Benien seconded the motion.

Ms. Vaught called for the votes to approve the motion.

The votes were: Dr. Benien, yes; Dr. Laird, out; Dr. Pettigrew, yes; Dr. Pickard, yes;
Dr. Riemer, yes; Dr. Shaw, absent; Ms. Taylor, yes; Ms. Vaught, yes.

The motion passed.

Eric Stewart Mills, D.O.

The Board considered the license application of Dr. Mills who appeared in person.

Dr. Pickard moved to grant licensure.
Dr. Riemer seconded the motion.

Ms. Vaught called for the votes to approve the motion.

The votes were: Dr. Benien, yes; Dr. Laird, out; Dr. Pettigrew, yes; Dr. Pickard,
yes; Dr. Riemer, yes; Dr. Shaw, absent; Ms. Taylor, yes; Ms. Vaught, yes.

The motion passed.

Theron Joseph Bliss, D.O.

The Board considered the license application of Dr. Bliss who appeared in person.

Ms. Taylor, reviewed the file and moved to grant licensure.
Dr. Pickard seconded the motion.

Ms. Vaught called for the votes to approve the motion.

The votes were: Dr. Benien, yes; Dr. Laird, out; Dr. Pettigrew, yes; Dr. Pickard,
yes; Dr. Riemer, yes; Dr. Shaw, absent; Ms. Taylor, yes; Ms. Vaught, yes.

The motion passed.

Ann Marie Ledley-Lewis, D.O.

The Board considered the license application of Dr. Ledley-Lewis who did not appear.

Dr. Pettigrew moved to grant licensure contingent upon a successful telephone conference
between Dr. Ledley-Lewis, Dr. Benien, and Ms. Bruce.
Dr. Pickard seconded the motion.

Ms. Vaught called for the votes to approve the motion.

The votes were: Dr. Benien, yes; Dr. Laird, out; Dr. Pettigrew, yes; Dr. Pickard, yes; Dr. Riemer, yes; Dr. Shaw, absent; Ms. Taylor, yes; Ms. Vaught, yes.

The motion passed.

Dennis Edward King, D.O.

Dr. King was not present. His application will be considered upon receipt of his written request to appear before the Board.

Daniel C. Lee, D.O. (request to re-issue license #3968)

Dr. Pickard moved to approve the re-issue of license #3968 for Daniel C. Lee, D.O.
Dr. Riemer seconded the motion.

Ms. Vaught called for the votes to approve the motion.

The votes were: Dr. Benien, yes; Dr. Laird, out; Dr. Pettigrew, yes; Dr. Pickard, yes; Dr. Riemer, yes; Dr. Shaw, absent; Ms. Taylor, yes; Ms. Vaught, yes.

The motion passed

Stacy Lynn McFaul, D.O. (request to re-issue license # 2999)

Dr. Pettigrew moved to approve the re-issue of license # 2999 for Stacy Lynn McFaul, D.O.
Dr. Pickard seconded the motion.

Ms. Vaught called for the votes to approve the motion.

The votes were: Dr. Benien, yes; Dr. Laird, out; Dr. Pettigrew, yes; Dr. Pickard, yes; Dr. Riemer, yes; Dr. Shaw, absent; Ms. Taylor, yes; Ms. Vaught, yes.

The motion passed.

The Board reviewed eighty-eight new licensure application files.

Dr. Riemer moved to approve the eighty-eight new licensure applicants, pending successful completion of their application packets.
Dr. Pettigrew seconded the motion.

Ms. Vaught called for the votes to approve the motion.

The votes were: Dr. Benien, yes; Dr. Laird, out; Dr. Pettigrew, yes; Dr. Pickard, yes; Dr. Riemer, yes; Dr. Shaw, absent; Ms. Taylor, yes; Ms. Vaught, yes.

The motion passed.

12. REQUEST FOR NAME CHANGE:

Jennifer Skelton, D.O.

Dr. Pettigrew moved to approve the name change for Jennifer Skelton, D.O. to Jennifer Sunday, D.O.
Dr. Benien seconded the motion.

Ms. Vaught called for the votes to approve the motion.

The votes were: Dr. Benien, yes; Dr. Laird, out; Dr. Pettigrew, yes; Dr. Pickard, yes; Dr. Riemer, yes; Dr. Shaw, absent; Ms. Taylor, yes; Ms. Vaught, yes.

The motion passed.

13. RECOGNITION CEREMONY

The Board honored Dr. James P. Riemer, D.O., for his long and dedicated service to the Board and to the Osteopathic profession. A plaque commemorating the years of service by Dr. Riemer was presented to him.

14. EXECUTIVE SESSION

Dr. Pickard moved to go into Executive Session pursuant to 25 O.S. Section 307 (B)(8).
Dr. Pettigrew seconded the motion.

Ms. Vaught called for the votes to approve the motion.

The votes were: Dr. Benien, yes; Dr. Laird, out; Dr. Pettigrew, yes; Dr. Pickard, yes; Dr. Riemer, yes; Dr. Shaw, absent; Ms. Taylor, yes; Ms. Vaught, yes.

The motion passed.

Dr. Pickard moved to come out of Executive Session pursuant to 25 O.S. Section 307 (B)(8).
Dr. Benien seconded the motion.

Ms. Vaught called for the votes to approve the motion.

The votes were: Dr. Benien, yes; Dr. Laird, out; Dr. Pettigrew, yes; Dr. Pickard, yes; Dr. Riemer, yes; Dr. Shaw, absent; Ms. Taylor, yes; Ms. Vaught, yes.

The motion passed.

15. ADJOURNMENT

Ms. Taylor moved to adjourn the June 19, 2008 Quarterly Board Meeting.
Dr. Pettigrew seconded the motion.

Ms. Vaught called for the votes to approve the motion.

The votes were: Dr. Benien, yes; Dr. Laird, out; Dr. Pettigrew, yes; Dr. Pickard, yes; Dr. Riemer, yes; Dr. Shaw, absent; Ms. Taylor, yes; Ms. Vaught, yes.

The motion passed.