

OKLAHOMA STATE BOARD OF OSTEOPATHIC EXAMINERS

SPECIAL MEETING MINUTES

November 13, 2009

DATE OF MEETING November 13, 2009

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

MEMBERS PRESENT Jay D. Cunningham, D.O.
Gordon P. Laird, D.O.
Carl B. Pettigrew, D.O.
Thomas R. Pickard, D.O.
B. Frank Shaw, Jr., D.O.
Catherine C. Taylor, J.D.
Cheryl A. Vaught, J.D.
LeRoy E. Young, D.O.

MEMBERS ABSENT

ALSO PRESENT Leslie Atkins
Deborah J. Bruce, J.D., *Board of Osteopathic Examiners*
Lt. Jeff Cooper, *Ok City Police Dept.*
Susan Fenimore, *DNR Court Reporter*
Kim Floyd, D.O.
Daniel Gamino, J.D., *Board Legal Advisor*
Lynette C. McLain, *Oklahoma Osteopathic Association*
Richard A. Mildren, J.D., *Board Prosecuting Attorney*
Barbara Shepherd, *Board of Osteopathic Examiners*
Mona Spivey, *Oklahoma Osteopathic Association*
Randy Sullivan, J.D.
Hugh D. Tidler, *Board of Osteopathic Examiners*
Brian K. Veazey, *OBNDD*
General Public

PRESIDING Gordon P. Laird, D.O., *President*

1. CALL TO ORDER

Dr. Gordon P. Laird, President, called the meeting to order at 1:00 p.m.
(Daniel Gamino, J.D., swore in all respondents and witnesses.)

2. HEARING DOCKET

Kim D. Floyd, D.O.

Dr. Laird called the matter of Kim D. Floyd, D.O. to order and recognized Richard Mildren, Prosecuting Attorney for the Board. Dr. Floyd was present and accompanied by his counsel, Stanley Ward. The Hearing proceeded. Hugh Tidler, OSBOE Senior Investigator testified for the Agency. Dr. Floyd testified on his own behalf. The Hearing concluded.

Dr. Pickard moved to go into Executive Session.
Dr. Shaw seconded the motion.

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

The roll call/votes were: Dr. Cunningham, yes; Dr. Laird, yes; Dr. Pettigrew, yes; Dr. Pickard, yes;
Dr. Shaw, yes; Ms. Taylor, yes; Ms. Vaught, yes; Dr. Young, yes.

The motion passed. Everyone left the room except the Board Members and Mr. Gamino, J.D.

Mr. Gamino called to resume the public hearing.

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

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

The roll call/votes were: Dr. Cunningham, yes; Dr. Laird, yes; Dr. Pettigrew, yes; Dr. Pickard, yes;
Dr. Shaw, yes; Ms. Taylor, yes; Ms. Vaught, yes; Dr. Young, yes.

The motion passed

Ms. Vaught moved the allegations in the Complaint against Dr. Floyd had been proven by clear and
convincing evidence.
Ms. Taylor seconded the motion.

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

The roll call/votes were: Dr. Cunningham, yes; Dr. Laird, yes; Dr. Pettigrew, yes; Dr. Pickard, yes;
Dr. Shaw, yes; Ms. Taylor, yes; Ms. Vaught, yes; Dr. Young, yes.

The motion passed.

Ms. Vaught moved the Board order Dr. Floyd be placed on probation for a period of five years with
conditions including that Dr. Floyd is to submit to the Oklahoma Professionals Program for
evaluations on alcohol/substance abuse and ongoing sexual issues. Dr. Floyd is to appear at the
next Board meeting. Dr. Floyd is to have a chaperone anytime he sees a female or adolescent patient
and is to create written office policies on chaperones and protection of prescription pads.
Dr. Pickard seconded the motion.

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

The roll call/votes were: Dr. Cunningham, yes; Dr. Laird, yes; Dr. Pettigrew, yes; Dr. Pickard, yes;
Dr. Shaw, yes; Ms. Taylor, yes; Ms. Vaught, yes; Dr. Young, yes.

The motion passed.

3. LICENSURE MATTERS

R. Hilton McDonald, D.O.

The Board considered the request of Dr. McDonald for late renewal of his Oklahoma license to practice osteopathic medicine.

Dr. Pettigrew moved to set aside the cancellation of and grant permission for a late renewal of Dr. R. Hilton McDonald's Oklahoma license to practice osteopathic medicine.
Dr. Shaw seconded the motion.

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

The roll call/votes were: Dr. Cunningham, yes; Dr. Laird, yes; Dr. Pettigrew, yes; Dr. Pickard, yes; Dr. Shaw, yes; Ms. Taylor, yes; Ms. Vaught, yes; Dr. Young, yes.

The motion passed.

4. EXECUTIVE SESSION

Ms. Vaught moved to go into Executive Session.
Dr. Cunningham seconded the motion.

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

The roll call/votes were: Dr. Cunningham, yes; Dr. Laird, yes; Dr. Pettigrew, yes; Dr. Pickard, yes; Dr. Shaw, yes; Ms. Taylor, yes; Ms. Vaught, yes; Dr. Young, yes.

The motion passed. Everyone left the room except the Board Members, Mr. Gamino, J.D., and Deborah Bruce, Executive Director.

Mr. Gamino called to resume the public hearing.

Dr. Cunningham moved to come out of Executive Session.
Ms. Vaught seconded the motion.

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

The roll call/votes were: Dr. Cunningham, yes; Dr. Laird, yes; Dr. Pettigrew, yes; Dr. Pickard, yes; Dr. Shaw, yes; Ms. Taylor, yes; Ms. Vaught, yes; Dr. Young, yes.

The motion passed

Dr. Cunningham moved to authorize Ms. Bruce to negotiate new lease provisions with the Osteopathic Association and the Osteopathic Foundation.
Ms. Vaught seconded the motion.

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

The roll call/votes were: Dr. Cunningham, yes; Dr. Laird, yes; Dr. Pettigrew, yes; Dr. Pickard, yes; Dr. Shaw, yes; Ms. Taylor, yes; Ms. Vaught, yes; Dr. Young, yes.

The motion passed.

5. ADJOURNMENT

Dr. Pickard moved to adjourn the November 13, 2009 Special Board Meeting.
Dr. Shaw seconded the motion.

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

The votes were: Dr. Cunningham, yes; Dr. Laird, yes; Dr. Pettigrew, yes; Dr. Pickard, yes; Dr. Shaw, yes; Ms. Taylor, yes; Ms. Vaught, yes; Dr. Young, yes.

The motion passed and the meeting was adjourned at 4:45 p.m.