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IN AND BEFORE THE STATE BOARD OF MEDICAL EXAMINERS

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel,
STATE BOARD OF MEDICAL
EXAMINERS,

Plaintiff,)
)
)
v.)
)
GLENN WILLIAM "BUTCH" SCHOENHALS,)
M.D., Medical License No. 10017,)
)
Defendant.)

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MAY 30 1985

STATE BOARD
MEDICAL EXAMINERS

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Examiners en banc on May 25, 1985, at 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Daniel J. Gamino, Attorney, appeared for the Plaintiff and C. Merle Gile, Attorney, appeared for the Defendant.

The Board of Medical Examiners en banc heard the testimony, reviewed exhibits and being fully advised in the premises, the Board of Medical Examiners therefore finds as follows:

FINDINGS OF FACT

1. That Glenn William "Butch" Schoenhals holds Oklahoma Medical License No. 10017.

2. That the Board of Medical Examiners en banc has jurisdiction over the subject matter herein and that notice has been given in all respects as required by law and the rules of the Board.

3. That during the approximate month of April, 1984, Defendant used cocaine in a social setting.

4. That on or around February 25, 1985, the Defendant did enter a plea of guilty to a violation of 21 U.S.C. 844(a) in the United States District Court for the Western District of Oklahoma in Case No. 84-142-H and on that date was fined \$3,500.00 and placed on a period of probation of one year under terms and conditions that ordered the Defendant to continue to participate in drug counseling. All other proceedings in the aforesaid case were deferred and will be dismissed in the event the Defendant complies with all terms and conditions of probation set forth therein.

5. That the Defendant entered into a Special Employment Agreement with the Oklahoma Neurological Surgery Clinic, Inc., and the terms of the aforesaid Agreement require the Defendant to, among other things, (a) continue consultation with Anthony M. Kowalski, M.D., or his designee as often as and so long as Dr. Kowalski or his designee shall require; (b) practice medicine as a fulltime employee of a corporation; (c) refrain from using any controlled substance or alcohol; (d) submit to urine analysis tests daily for the detection of drugs by a laboratory or laboratories to be designated by the shareholders of the corporation at Defendant's expense with any positive results from any such test to be immediately furnished to the president of the corporation or his designee; (e) Defendant to sever any direct or indirect involvement with any business which interferes with his duties as an employee of the corporation, including, but not

limited to, divestiture of all participation and investment MSZ Securities.

CONCLUSION OF LAW

1. That Glenn William "Butch" Schoenhals, holding Oklahoma Medical License No. 10017, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, §509, paragraphs 5 and 8, to-wit:

"5. Habitual intemperance or the habitual use of habit-forming drugs."

"8. Conviction or confession of a crime involving the violation of the anti-narcotic or prohibition laws and regulations of the federal government or the Board of Health Laws and Regulations of the State of Oklahoma."

2. That Glenn William "Butch" Schoenhals, M.D., is in violation of the Rules and Regulations promulgated by this Board, specifically Section IX, Rules 3 and 5, to-wit:

"Rule 3: The habitual or excessive use of any drug which impairs the ability to practice medicine with reasonable skill and safety to the patient."

"Rule 5: Purchasing or prescribing any regulated substance in Schedules I through V, as defined by the Uniform Controlled Dangerous Substance Act, for the physician's personal use."

ORDER

IT IS THEREFORE ORDERED by the Board of Medical Examiners of Oklahoma as follows:

1. That the Defendant, Glenn William "Butch" Schoenhals, M.D., License No. 10017, be and is hereby placed on probation to the Oklahoma State Board of Medical Examiners for a period of five years, beginning on May 25, 1985, under the following terms and conditions:

a. That the Defendant will submit biological fluid specimens to include, but not limited to, blood and urine, for analysis, upon the request of any inspector or agent representing the Oklahoma State Board of Medical Examiners.

b. Defendant will not use any controlled substances unless it is prescribed by a physician treating him for a legitimate medical need and Defendant shall disclose to any physician treating him the details of his prior cocaine use.

Defendant to comply with terms and conditions of his deferred sentence received in the United States District Court for the Western District of Oklahoma in Case No. 84-142-H.

d. During the period of probation Dr. Schoenhals will furnish to the office of the State Board of Medical Examiners all

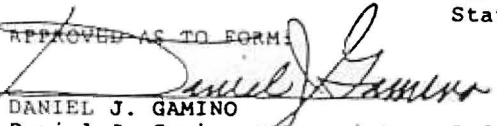
current legal addresses and any change of address in writing.

- e. That the Defendant shall appear before this Board or a designated member thereof whenever requested to do so.
- f. That upon request by a Board inspector or representative, the Board shall have and Defendant shall grant full access to all records, to include but not be limited to, reports, test results and analysis, generated concerning the Defendant pursuant to the terms of the Special Employment Agreement that the Defendant signed with the Oklahoma Neurological Surgery Clinic, Inc.

DATED this 30th day of May, 1985.


MARK R. JOHNSON, M.D., Secretary
State Board of Medical Examiners

APPROVED AS TO FORM:


DANIEL J. GAMINO
Daniel J. Gamino & Associates, P.C
3315 NW 63
Oklahoma City, OK 73116
(405) 840-3741
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF MAILING

I hereby certify that on the 7th day of June, 1985, a true and correct copy of the above and foregoing Final Order was deposited in the U.S. Mails, postage prepaid thereon, addressed to C. Merle Gile, 1400 N. Shartel, Oklahoma City, OK 73103, Attorney for Defendant.

