

IN AND BEFORE THE OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE AND SUPERVISION

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel,
OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE AND
SUPERVISION,

Plaintiff,

v.

PRESNALL GLENN GIBBS, M.D.
Medical License No. 10048,

CASE NO. 89-03-831

Defendant.

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on October 20, 1989, at the office of the Oklahoma State Medical Association, 601 N.W. Expressway, 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 Carol Hambrick, Attorney, Jones and Bryant, Enid, Oklahoma, appeared on behalf of the Defendant.

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

FINDINGS OF FACT

1. That Defendant, Presnall Glenn Gibbs, M.D., holds Oklahoma Medical License No. 10048.

2. That the Board of Medical Licensure and Supervision 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 the Defendant was advised of his right to legal counsel and was advised by attorney Carol Hambrick and did on or around October 10, 1989, execute a formal Voluntary Submittal to Jurisdiction, and the Defendant did of his own volition and decision waive and forego his right to evidentiary hearing before the Oklahoma Board of Medical Licensure and Supervision for full hearing as authorized by 59 O.S. Supp. 1988, Sec. 504-507, and the Defendant does voluntarily submit to the jurisdiction of the Oklahoma State Board of Medical Licensure and Supervision herein.

CONCLUSIONS OF LAW

1. That the Board does have lawful jurisdiction over the Defendant by virtue of his voluntary execution of the Voluntary Submittal to Jurisdiction dated October 10, 1989; and under the legal authority of the Oklahoma Medical Practice Act, 59 O.S. Supp. 1988, Sec. 481 et seq., may impose the following sanctions.

ORDER

IT IS THEREFORE ORDERED by the Oklahoma Board of Medical Licensure and Supervision as follows:

1. That the Defendant, Presnall Glenn Gibbs, M.D., holding Oklahoma Medical License No. 10048, should be and is hereby placed on probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of five (5) years beginning on October 20, 1989, under the following terms and conditions:

- (a) That during the period of probation Defendant will not prescribe, administer or dispense any medications for his personal use, to specifically include controlled dangerous substances.
- (b) That during the period of probation Defendant will abstain from consuming alcohol or any substance, licit or illicit, specifically including but not limited to, controlled dangerous substances, which would adversely affect his ability to practice medicine and surgery as interpreted by the Oklahoma State Board of Medical Licensure and Supervision.
- (c) That during the period of probation Defendant will take no medication except that which is authorized by a physician treating him for a legitimate medical need and Defendant shall have an affirmative duty to inform any physician treating him of Defendant's previous use of alcohol and controlled dangerous substances.
- (d) During the period of probation Defendant will submit biological fluid specimens to include, but not limited to, blood and urine, for analysis, upon request of any investigator or other agent representing the Oklahoma State Board of Medical Licensure and Supervision, and Defendant will pay for testing and analysis of those specimens.
- (e) During the period of probation Defendant will furnish to the office of the Oklahoma State Board of Medical Licensure and Supervision all current legal addresses and any change of address in writing, even if the Defendant is only on a temporary assignment or has a temporary change of legal address or practice address.
- (f) Defendant shall appear before the Board en banc or a designated member thereof whenever requested to do so.
- (g) During the period of probation Defendant will submit to the Investigative Division of the Oklahoma State Board of Medical Licensure and Supervision any required reports and forms on a timely and prompt basis.

h) Pursuant to Section 26, H.B. 1478, 1987 Legislature, Defendant shall promptly pay upon receipt of invoice from the Investigation Division of the Board the cost of investigation, prosecution and probation of this case.

That violation of any of the terms and conditions of probation shall be grounds for additional charges to be presented to the Board after due notice to the Defendant.

- (j) During the period of probation Defendant will continue active participation in support programs operated through the Physician Recovery Committee of the Oklahoma State Medical Association and/or Alcoholics Anonymous, Narcotics Anonymous or equivalent program as determined by the
- (k) During the period of probation Defendant shall notify any hospital where he holds staff privileges, or clinic, or group where he practices, of the terms and conditions of this Board Order and supply a copy thereof.

2. That the jurisdiction of the Board in this individual proceeding will continue in this matter until the terms and conditions of probation are modified or withdrawn by the Oklahoma State Board of Medical Licensure and Supervision, either on their own motion or on the motion of the Defendant.

3. The Defendant further agrees that failure to meet any of the above terms of probation will constitute cause for the staff of the Board to initiate additional proceedings to suspend or revoke Defendant's Oklahoma Medical License, after additional due notice and hearing.

DATED this 2 day of ^{November} ~~October~~, 1989

Gerald C. Zumwalt
GERALD C. ZUMWALT, M.D., Secretary
State Board of Medical Licensure
and Supervision

APPROVED AS TO FORM:

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