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

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rei, OKLAHOMA STATE BOARD OF OKLAHOMA OKLAHOMA

ORDER TO REINSTATE OKLAHOMA MEDICAL LICENSE EFFECTIVE MAY, 1994, UNDER TERMS AND CONDITIONS OF PROBATION

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on March 18, 1994, at the office of the Oklahoma State Board of Medical Licensure and Supervision, 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 Robert O. Morton, M.D., Defendant, appeared in person, pro se, waived his right to legal counsel and agreed to proceed without counsel.

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

FINDINGS OF FACT

- 1. That Defendant, Robert O. Morton, M.D., formerly held Oklahoma Medical License No. 10500.
- 2. That the Oklahoma 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 following notice and hearing on May 14, 1993, the Board considered evidence that the Defendant deliberately and willfully violated a previous Board Order in that on or around March 2, 1993, Defendant did personally use a controlled dangerous substance (Nubain) or a form of Meprobamate and was impaired thereby at least to the extent of driving his car into a ditch, and further that the Defendant twice was not available to the Board Compliance Coordinator and Defendant was not following his own schedule provided to the Board staff when the Compliance Coordinator arrived for an unannounced visit and therefore the Compliance Coordinator could not conduct any interview or obtain any fluid samples on either attempted visit of 1/22/93 or 3/2/93. Based on that evidence the Board revoked the Defendant's Oklahoma medical license.
- 4. That the Defendant provided evidence that would support reinstatement of his Oklahoma medical license. The Board found that Defendant's Oklahoma Medical License No. 10500 should be reinstated at the meeting of May 13 and 14, 1994, after the

Defendant and Board staff work out a Voluntary Submittal to Jurisdiction that would allow the Defendant to administer certain emergency medications and that such action could be taken without danger to public health, safety or welfare.

CONCLUSIONS OF LAW

1. That the Oklahoma Board has jurisdiction over this matter pursuant to the Oklahoma Medical Practice Act, 59 O.S. 1991, Sec. 481 et seg., and by its previous Orders entered herein.

ORDER

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

- That Robert O. Morton's application for reinstatement of Oklahoma Medical License No. 10500, should be and will be GRANTED at the Board's next regularly scheduled meeting presently scheduled for May 13 and 14, 1994, upon the Defendant's execution of a Voluntary Submittal to Jurisdiction worked out between Board staff and the Defendant that would allow Defendant to administer certain emergency medications under limited circumstances.
- That a copy of this written Order should be sent to the Defendant as soon as possible so his record is complete.

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DATED	tnıs		day	OI.		,	1994.

GERALD C. ZUMWALT, M.D., Secretary State Board of Medical Licensure

and Supervision

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 nereby certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this 31 day of Morch, 1994, to:

ROBERT O. MORTON, M.D. 1334 Normanky Road

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