

IN AND BEFORE THE 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.)
)
JIMMY CHARLES MARTIN, M.D.)
Medical License No. 10534,)
)
Defendant

FILED

MAY 27 1988

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

CASE NO. 83-6-334

FINAL ORDER
ON COMPLAINT OF CONTEMPT

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision en banc on the 13th day of May, 1988, at the office of the Oklahoma State Medical Association, 601 NW 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 Jimmy Charles Martin, M.D., Defendant, appeared in person, pro se.

The Board of Medical Licensure and Supervision en banc heard the testimony and reviewed the 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, Jimmy Charles Martin, M.D., holds Oklahoma Medical License No. 10534.
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 there was not a preponderance of evidence to substantiate the material allegations of the Complaint of Contempt of Final Order sworn to by D.C. Mosshart on the 30th day of July, 1987, and that said Complaint should be dismissed.
4. That the voluntary probation of the Defendant should be ended and that Defendant should not have to provide bodily fluids on a monthly basis as a part of said voluntary probation.
5. That the Board staff should review Dr. Martin, as it does other physicians on a post-probation process to involve a voluntary, spot checking of bodily fluids on a random basis of not more than four (4) samples nor less than two (2) during the next two-year period.

CONCLUSIONS OF LAW


1. The Board has lawful jurisdiction over this Defendant pursuant to the Oklahoma Medical Practice Act, 59 O.S. Supp. 1987, Section 481 et seq.

ORDER

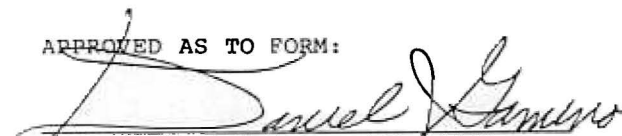
IT IS THEREFORE ORDERED by the Oklahoma Board of Medical Licensure and Supervision as follows:

1. That because of a lack of a preponderance of evidence the Complaint of Contempt of Final Order should be and the same is hereby dismissed and held for naught.
2. That the Defendant's voluntary probation should be and the same is hereby terminated and that the Defendant shall not have to provide bodily fluids on a monthly basis.
3. That the Board staff should review Dr. Martin, as it does other physicians on a post-probation process to involve a voluntary, spot checking of bodily fluids on a random basis of not more than four (4) samples nor less than two (2) during the next two-year period.

DATED this 27th day of May, 1988.


MARK R. JOHNSON, M.D., Secretary
State Board of Medical Licensure
and Supervision

APPROVED AS TO FORM:


DANIEL J. GAMINO OBA #3227
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 a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this 27 day of May, 1988, to:

JIMMY CHARLES MARTIN, M.D.
8316 East 61
Suite 109
Tulsa, OK

