

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

FILED

STATE OF OKLAHOMA)
EX REL. THE OKLAHOMA BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)

AUG 02 2001

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff,)

v.)

Case No. 00-05-2192

TERRY DUANE RAPP, M.D.,)
LICENSE NO. 10615)

Defendant.)

FINAL ORDER OF SUSPENSION

This cause came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the "Board") on July 19, 2001, at the office of the Board, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Elizabeth A. Scott, Assistant Attorney General, appeared for the plaintiff and defendant appeared through counsel, Michelle Nelson.

The Board *en banc* after hearing arguments of counsel, reviewing the exhibits admitted and the pleadings filed, and being fully advised in the premises, found that there is clear and convincing evidence to support the following Findings of Fact, Conclusions of Law and Orders:

Findings of Fact

1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physicians and surgeons in the State of Oklahoma pursuant to 59 Okla. Stat. §480 *et seq.*

2. The Board has jurisdiction over this matter, and notice has been given in all respects in accordance with law and the rules of the Board.

3. Defendant, Terry Duane Rapp, M.D., holds Oklahoma license no. 10615.

4. Defendant's hearing on the Complaint and Citation pending in this case was initially set for January 25-27, 2001. Defendant requested and was granted continuances until the March 15-17, 2001 Board meeting, the May 3-5, 2001 Board meeting and the July 19-21, 2001 Board meeting. Defendant has requested another continuance until the September 27-29, 2001 Board meeting, which the Board Secretary has denied.

5. Based upon the Board Secretary's denial of his request for another continuance, the Defendant has offered to voluntarily suspend his license pending full hearing before the Board at the September 2001 Board meeting.

Conclusions of Law

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act (the "Act") and its applicable regulations. The Board is authorized to enforce the Act as necessary to protect the public health, safety and welfare.

Order

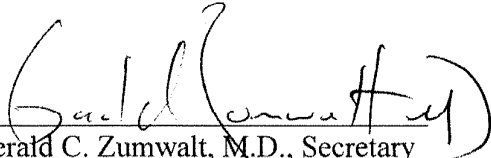
IT IS THEREFORE ORDERED by the Oklahoma State Board of Medical Licensure and Supervision as follows:

1. The license of Defendant, Terry Duane Rapp, M.D., Oklahoma license no. 10615, is hereby **SUSPENDED** beginning July 19, 2001 and continuing until the Board meeting on September 27-29, 2001, at which time the Complaint against Defendant will be heard.

2. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and investigation costs.

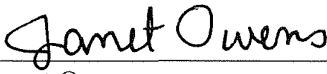
3. Defendant's suspended license shall not be reinstated unless Defendant has reimbursed the Board for all taxed costs.

Dated this 2 day of August, 2001.


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

CERTIFICATE OF SERVICE

I certify that on the 3 day of August, 2001, I mailed, via first class mail, postage prepaid, a true and correct copy of this Order of Suspension to Grant Lucky, Gungoll, Jackson, Collins, Box & Devoll, P.C., 323 W. Broadway, P.O. Box 1549, Enid, OK 73702.



Janet Owens