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.

WILLIAM H. PHILPOTT, M.D.)
Medical License No. 10713,)

Defendant.

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on June 8, 1990, 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 Jerry E. Bryan, Attorney, Gary B. Homsey & Associates, Oklahoma City, Oklahoma, appeared only by way of his letter of May 18, 1990, and Defendant appeared only by way of his letter of May 21, 1990.

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

FINDINGS OF FACT

- 1. That Defendant, William H. Philpott, M.D., holds Oklahoma Medical License No. 10713.
- 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 on or around May 3, 1990, Complaint and Citation were issued alleging that the Defendant committed unprofessional conduct on minor patients C.B. and A.S., and further alleging he was the subject of Administrative Complaint No. 0048350 filed by the State of Florida, Department of Professional Regulation, Board of Medical Examiners, and Administrative Complaint No. 0056741 filed by the same body, and that he voluntarily entered into a Stipulation with them as set forth on the record. Complaint and Citation were served on the Defendant on or around May 4, 1990.
- 4. On or around May 9, 1990, Defendant, by and through the above-named counsel, filed an Answer.
- 5. That on or around May 21, 1990, Defendant did provide written resignation from the practice of medicine by a letter in his own handwriting dated May 21, 1990, and did tender to Board counsel his Oklahoma medical license and renewal identification cards. Receipt of those materials is hereby acknowledged.
- 6. In lieu of an evidentiary hearing on the allegations set forth in the Complaint and Citation, the Board does accept

the Defendant's voluntary resignation from practice in Oklahoma and resignation of license with the express provision that the Defendant may not re-apply for licensure as a physician and surgeon in the State of Oklahoma.

CONCLUSIONS OF LAW

- 1. That the Board has jurisdiction over the Defendant pursuant to the Oklahoma Medical Practice Act, 59 O.S. Supp. 1989, Sec. 481 et seq.
- 2. That the decision to accept resignation of license by a physician while a disciplinary matter is pending is within the discretion and judgment of the Board.

ORDER

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

- 1. That the resignation of licensure tendered by the Defendant, William H. Philpott, M.D., holding Oklahoma Medical License No. 10713, should be and the same is hereby ACCEPTED.
- 2. That the resignation of the Defendant is accepted with the specific provision that the Defendant may not re+apply for licensure as a physician and surgeon in the State of Oklahoma.
- 3. That a copy of this Order shall be mailed as a courtesy to the Defendant and to his counsel.

DATED this 2/5/ day of June, 1990.

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 hereby certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this 22 day of June, 1990, to:

WILLIAM H. PHILPOTT 17171 SE 29 Choctaw, OK 73020

JERRY E. BRYAN
Gary B. Homsey & Associates
4816 Classen Blvd.
Oklahoma City, OK 73118

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