

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.)
)
THOMAS A. DIXON, M.D.) CASE NO. 94-03-1590
Medical License No. 11395;)
)
) Defendant.)

REINSTATEMENT OF LICENSE
UNDER PROBATION

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on November 17, 1995, 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 Thomas A. Dixon, M.D., Defendant, appeared in person and by and through legal counsel, Robert H. Mitchell, Oklahoma City, Oklahoma.

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

FINDINGS OF FACT

1. That Defendant, Thomas A. Dixon, M.D., previously held Oklahoma Medical License No. 11395.
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 That following notice and hearing on May 14, 1994, Defendant's Oklahoma Medical License No. 11395 was revoked based on Defendant's personal use of numerous controlled dangerous substances which were used by the Defendant to the extent that the Defendant was rendered impaired in the discharge of his duties as a physician and surgeon.
4. That since May 14, 1994, Defendant did provide evidence of successful completion of in-patient treatment for personal substance abuse, and the Defendant further provided evidence of his continued affiliation with the Physician Recovery Program of the Oklahoma State Medical Association.
5. That evidence showed that Defendant had in place a plan to cope with the depression caused by physical injury and resultant loss of motion and curtailment of personal athletic and exercise activities, and further that the Defendant had in place a support system which would assist him in future undertakings.
6. That the Defendant's Oklahoma Medical License No. 11395 may be reinstated under terms and conditions of a five-year

probation that would preserve public health, safety and welfare in the Defendant's practice of medicine and surgery.

CONCLUSIONS OF LAW

1. That the Defendant did fulfill his burden to provide evidence to support reinstatement of medical license by the Oklahoma Board of Medical Licensure and Supervision pursuant to the legal authority of 59 O.S. Supp. 1995, Sec. 508.2 et seq.

2. That the Defendant did agree personally, and by and through legal counsel, to reinstatement of his license under a five-year term of probation under normal and standard terms and conditions thereof.

ORDER

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

1. That Oklahoma Medical License No. 11395 of the Defendant, Thomas A. Dixon, M.D., should be and the same is hereby REINSTATED.

2. That the Defendant should be placed on a term of probation to the Oklahoma Board of Medical Licensure and Supervision for a period of five (5) years beginning on November 17, 1995, under the following terms and conditions:

- (a) 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) 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 abuse of multiple controlled dangerous substances.
- (c) During the period of probation Defendant will abstain from consuming alcohol or any substance, specifically including but not limited to controlled dangerous substances, which would adversely affect his ability to practice medicine or surgery as interpreted by the Oklahoma State Board of Medical Licensure and Supervision.
- (d) During the period of probation Defendant will submit biological fluid specimens to include, but not be 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 continue his active affiliation with the Oklahoma State Medical Association Physician Recovery Committee and shall comply with all recommendations and directions of that body.
- (f) During the period of probation Defendant may prescribe controlled dangerous substances only on serially-numbered, duplicate prescription pads and shall make the copies

available to Investigators of the Oklahoma State Board of Medical Licensure and Supervision at their request, to include all dispensing records on controlled dangerous substances and to include sample medication.

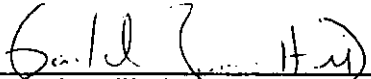
- (g) During the period of probation Defendant has the affirmative duty to not engage in any activities or to ingest any medication or substance of any nature that will test positive for alcohol or any controlled dangerous substance.
- (h) During the period of probation Defendant will conduct his practice in compliance with the Oklahoma Medical Practice Act as interpreted by the Oklahoma State Board of Medical Licensure and Supervision. Any question of interpretation regarding said Act shall be submitted in writing to the Board and no action based on the subject of the question will be taken by Defendant until clarification or interpretation is received by Defendant from the Board.
- (i) During the period of probation Defendant will not allow the initiation of any therapeutic regimen by any personnel under his supervision unless Defendant is in the immediate geographical vicinity of said personnel.
- (j) 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 Order and supply a copy thereof.
- (k) During the period of probation the Defendant shall not supervise a Physician Assistant.
- (l) 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.
- (m) Defendant shall appear before the Board or a designated member thereof whenever requested to do so.
- (n) During the period of probation Defendant will submit to the Investigation Division of the Oklahoma State Board of Medical Licensure and Supervision any required reports and forms on a timely and prompt basis.
- (o) During the period of probation Defendant will keep current payment of all assessment by the Board for costs of investigation, prosecution and probation monitoring of his case.
- (p) That violation of any of the terms and conditions of probation shall be grounds for additional charges to be presented to the Board after notice to the Defendant.

3. That the jurisdiction of the Board in this individual proceeding will continue until the terms and conditions of probation are modified or lifted by the Oklahoma Board of Medical

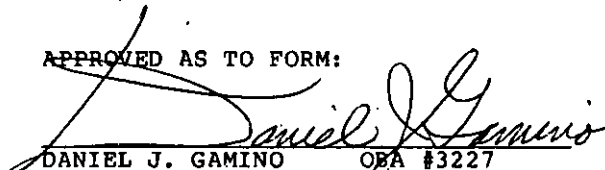
Licensure and Supervision on their own motion or on the motion of the Defendant.

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

DATED this 7 day of December, 1995:


GERALD C. ZUMWALT, 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 11 day of Dec, 1995, to:

THOMAS A. DIXON, M.D.
c/o Robert H. Mitchell
Attorney at Law
2424 NW 39
Oklahoma City, OK 73112

