

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

FILED

JAN 20 2015

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA, *ex rel.*)
THE OKLAHOMA BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)

Plaintiff,)

v.)

BERNARD FIORAVANTI, M.D.)
LICENSE NO. MD 11797)

Defendant.)

Case No. 13-04-4718

**ORDER GRANTING REINSTATEMENT OF
LICENSE WITH RESTRICTIONS
AFTER PRIOR SURRENDER IN
LIEU OF PROSECUTION**

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision on January 15, 2015, at the Board office, 101 N.E. 51st Street, Oklahoma City, Oklahoma 73105, pursuant to notice given as required by law and rules of the Board.

Bernard Fioravanti, M.D., Defendant, appeared in person and with counsel, Mr. Daniel J. Gamino.

Jason T. Seay, Assistant Attorney General, appeared on behalf of the State of Oklahoma, *ex rel.* the Oklahoma State Board of Medical Licensure and Supervision.

The Board *en banc* heard testimony, reviewed the exhibits presented, and being fully apprised of the premises, entered the following Findings of Fact, Conclusions of Law, and Orders:

Findings of Fact

1. Defendant previously held Oklahoma medical license no. 11797.

2. On November 7, 2013, the Board accepted Defendant's voluntary surrender of his medical license in lieu of prosecution.
3. On September 30, 2014, Defendant applied for reinstatement of his Oklahoma medical license no. 11797.
4. The Board *en banc* has jurisdiction over the subject matter herein, and notice has been given in all respects as required by law and the rules of the Board.

Conclusions of Law

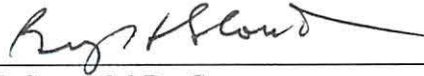
1. The Board has jurisdiction over the subject matter herein pursuant to 59 O.S. § 480 *et seq.*
2. The Defendant met his burden of proof that he has met all requirements for reinstatement of his medical license, including the requirement that he be of good moral character and competent to practice safely as required by 59 O.S. § 495h.

Order

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

1. Defendant's medical license is **REINSTATED WITH RESTRICTIONS** as follows:
 - a) Defendant's prescriptive authority be limited to diagnostic and interventional radiology;
 - b) Defendant is required to participate in the Oklahoma Health Professionals Program ("OHPP");
 - c) Defendant's practice location requires the approval of Board Secretary; and
 - d) Defendant is required to meet annually with Board Secretary.
2. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and costs, investigation costs, staff time, salary and travel expenses, witness fees and attorney's fees
3. A copy of this written order shall be sent to Defendant as soon as it is processed.

Dated this 20th day of January, 2015.



Billy H. Stout, M.D., Secretary
Oklahoma State Board of Medical
Licensure and Supervision

Certificate of Service

On the 20th day of January, 2015, a true and correct copy of this order was mailed, postage prepaid, to Mr. Daniel J. Gamino, DANIEL J. GAMINO & ASSOCIATES, 3035 NW 63rd Street, Suite 214, Oklahoma City, OK 73116.



Barbara J. Smith, Legal Secretary