

**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. )  
 )  
BERNARD L. FIORAVANTI, M.D., )  
LICENSE NO. MD 11797, )  
 )  
Defendant. )

**FILED**

NOV 20 2020

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Case No. 13-04-4718

**ORDER TERMINATING LICENSURE RESTRICTIONS**

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (“Board”) on November 5, 2020, at the office of the Board, 101 N.E. 51st Street, Oklahoma City, Oklahoma 73105, pursuant to notice given as required by law and rules of the Board.

Billy Stout, M.D., Board Secretary appeared on behalf of Plaintiff. Daniel J. Gamino of Daniel J. Gamino & Associates, P.C. appeared on behalf of Defendant. Defendant appeared not.

The Board, having heard representations of the Board Secretary and counsel for Defendant, and being fully apprised of the premises, makes the following findings of fact, conclusion of law and orders:

**Findings of Fact**

1. In Oklahoma, Defendant holds medical license no. 11797, originally issued July 1, 1978.
2. On August 16, 2013 a Complaint (“2013 Complaint”) and Citation were each filed. for including allegations of prescribing violations, habitual use of habit-forming drugs and the inability to practice medicine with reasonable skill and safety.
3. On November 7, 2013, the Board accepted Defendant’s a Voluntary Surrender of License in Lieu of Prosecution (“2013 SILOP”). The 2013 SILOP was filed on November 7, 2013.
4. On January 20, 2015, an Order Granting Reinstatement of License with Restrictions after Prior Surrender in Lieu of Prosecution was filed.

5. On September 11, 2020, Defendant emailed the Board requesting the removal of the restrictions from his medical license, and for appearance at the November 5, 2020 Board meeting.
6. At the November 5, 2020 Board meeting, Mr. Gamino yielded first remarks to the Board Secretary.
7. Dr. Stout informed the Board regarding Defendant's history, licensure restrictions, current part-time work and plans for the future. Dr. Stout advised that Board staff has no objection to Defendant's motion to remove the licensure restrictions.
8. Any conclusion of law below which is more properly characterized as a finding of fact is hereby incorporated as a finding of fact.

#### Conclusions of Law

9. The Board has jurisdiction over the subject matter and 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. 59 O.S. § 480 *et seq.*, 59 O.S. 492 *et seq.*; Okla. Admin. Code §§ 435:5-1-1 *et seq.*, 435:10-4-2.
10. Notice was provided as required by law and the rules of the Board. 75 O.S. § 309; 59 O.S. § 504; Okla. Admin. Code §§ 435:3-3-5, 435:3-3-6.

#### Orders

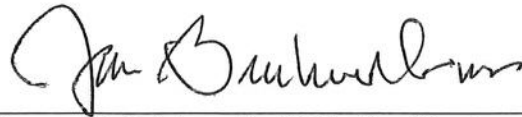
**IT IS THEREFORE ORDERED** by the Oklahoma State Board of Medical Licensure and Supervision as follows:

11. The **BERNARD L. FIORAVANTI, M.D.** motion to remove licensure restrictions is **GRANTED**.
12. A copy of this Order shall be provided to Defendant as soon as it is processed.

Dated this 19<sup>th</sup> day of November, 2020.



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Billy H. Stout, M.D., Board Secretary  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION



\_\_\_\_\_  
James M. Brinkworth, M.D., President  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION

**Certificate of Service**

This is to certify that on the 23<sup>rd</sup> day of November, 2020, the foregoing instrument was transmitted as indicated, postage prepaid, to the following:

U.S. Certified Mail

Bernard L. Fioravanti, M.D.  
P.O. Box 4  
Okay, Oklahoma 74446

-and-

U.S. Certified Mail

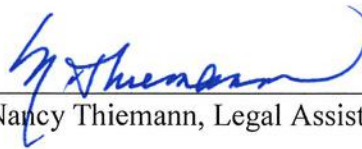
Fioravanti Radiology, PLLC  
1510 W. 90<sup>th</sup> Street North  
Wagoner, Oklahoma 74467

**Defendant**

U.S. First Class Mail, and Email

Daniel J. Gamino  
DANIEL J. GAMINO & ASSOCIATES, P.C.  
Jamestown Office Park, North Building  
3035 N.W. 63<sup>rd</sup> Street, Suite 214  
Oklahoma City, Oklahoma 73116  
Telephone: (405) 840-3741  
Facsimile: (405) 840-3744  
dgamino@coxinet.net

**Attorney for Defendant,  
Bernard L. Fioravanti, M.D.**



Nancy Thiemann, Legal Assistant