

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

FILED

STATE OF OKLAHOMA

MAY 18 2000

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

IN THE MATTER OF THE)
APPLICATION OF)

EDWARD ALLEN LEE., M.D.)

Application No. 6889

)
FOR REINSTATEMENT OF)
OKLAHOMA MEDICAL)
LICENSE NO. 11807)

AGREEMENT FOR LICENSURE

This Agreement for Licensure is entered into by and between Gerald C. Zumwalt, M.D., Secretary and Medical Director of the Oklahoma State Board of Medical Licensure and Supervision, and Edward Allen Lee, M.D., Applicant, pursuant to the authority of 59 O.S. §480 et seq. and Section 435:10-4-11 of the Oklahoma Administrative Code.

FACTUAL STIPULATIONS AND ACKNOWLEDGEMENTS

1. Applicant has made application for reinstatement of licensure as a physician and surgeon in Oklahoma and has agreed to certain conditions upon which his license may be granted as set out more fully below.

2. The conditions have been agreed upon in response to questions raised during the application process concerning Applicant's fitness or ability to practice with reasonable skill and safety as a result of a prior revocation of his license based upon a history of sexual misconduct.

3. Applicant, by signing below, acknowledges and agrees that (i) Applicant is of sound mind and is not under the influence of, or impaired by, any medication or drug; (ii) Applicant has read and understands the terms of this agreement; (iii) Applicant understands that by entering into this agreement, Applicant has waived certain rights such as the right to a full hearing on the merits of this application; (iv) Applicant has agreed to and signed this agreement voluntarily; and (v) there are no verbal, written or other agreements or promises of any kind, including a guarantee licensure, between Applicant and the Board or its staff which are not set out in this agreement.

4. The Board has jurisdiction over the subject matter herein pursuant to 59 Okla. Stat. §480 *et seq.* and the authority to approve the terms of the agreement entered into between the Board and the Applicant under 59 Okla. Stat. §492.1 and Section

435:10-4-11 of the Oklahoma Administrative Code ("OAC"). Pursuant to OAC Section 435:10-4-11, this agreement shall not be considered by the Board to be a disciplinary action.

AGREEMENTS

In consideration of the mutual promises stated herein, the Board shall issue Applicant a license to practice as a physician and surgeon subject to the following terms and conditions:

1. Applicant will conduct Applicant's practice in compliance with the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act as interpreted by the Board. Any question of interpretation regarding the Act or this Agreement shall be submitted in writing to the Board, and no action based on the subject of the question will be taken by Applicant until clarification of interpretation is received by Applicant from the Board or its designee.
2. Applicant will continue weekly counseling and therapy with his current therapist or another therapist approved in advance by the Board Secretary. Applicant will authorize in writing the release of any and all records of that treatment to the Board or its designee. Applicant shall continue said treatment until released by his therapist, and shall provide quarterly reports from his therapist to the Board Secretary for his review.
3. Applicant will limit his work to forty (40) hours per week.
4. Applicant shall have a female chaperone, who shall be a licensed health care provider, with him in the room at all times that he is examining or performing services on a female patient.
5. Applicant will immediately obtain a mentor or supervisor, preferably Ricky R. Schmidt, M.D., and shall provide quarterly reports from his mentor or supervisor to the Board Secretary regarding Applicant's practice, including any concerns or complaints expressed by staff or patients.
6. Applicant shall follow all recommendations of G. Richard Kishur, Ph.D., LPC set forth in his evaluation report dated April 6, 2000, including the use of clinical polygraph examinations during treatment, and a full disclosure clinical polygraph examination prior to the completion of treatment.
7. Applicant shall allow the Compliance Consultant or other designated representative of the Board to monitor his practice to verify that Applicant is following the terms of the Agreement for Licensure. The

Compliance Consultant shall periodically report to the Board Secretary and to the Board the results of his monitoring of Applicant.

8. Upon release from weekly individual therapy with his therapist, Applicant shall remain in follow-up therapy for a minimum of five (5) years.

9. Applicant will keep the Board informed of his current address.

10. Applicant will execute releases of medical, counseling and psychiatric records for use by the Compliance Consultant or other agents of the Board and will authorize the Compliance Consultant or other agents of the Board to discuss Applicant's case with Applicant's treating physicians, counselors and/or other custodians of Applicant's records.

11. Any violation of the terms, conditions and requirements of this agreement shall constitute conclusive evidence of unprofessional or dishonorable conduct, which will constitute cause for the Board to initiate additional proceedings to suspend, revoke or modify Applicant's license after due notice and hearing.

12. The terms and conditions of this agreement shall be of a continuing nature until set aside or otherwise terminated by the Board either on the Board's own motion or upon motion of the Applicant.

13. Applicant will furnish a copy of this agreement to each and every state in which he holds licensure or applies for licensure and to all hospitals, clinics or other facilities in which he holds or anticipates holding any form of staff privileges or employment.

14. Applicant will not supervise allied health professionals that require surveillance of a licensed physician.

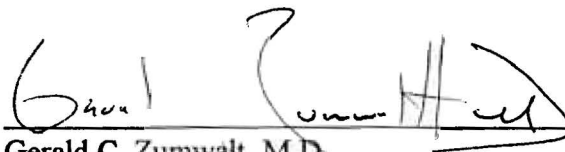
15. Applicant will keep current payment of all assessments by the Board for the prosecution, investigation and monitoring of his case unless Applicant affirmatively obtains a deferment of all or part of said fees upon presentation of evidence that is acceptable to the Board Secretary.

16. Until such time as all indebtedness to the Board has been satisfied, Applicant will reaffirm said indebtedness in any and all bankruptcy proceedings.

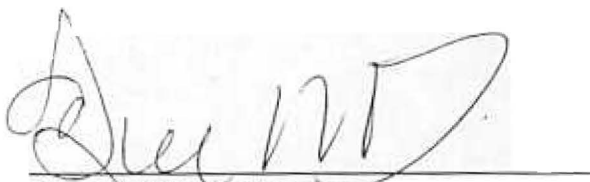
17. Applicant shall make himself available for one or more personal appearances before the Board or its designee upon request.

18. Applicant shall submit any required reports and forms on a timely and prompt basis to the Compliance Coordinator or his designee.

Executed and agreed to this 18 day of May, 2000.

A handwritten signature in black ink, appearing to read "Gerald C. Zumwalt", written over a horizontal line.

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

A handwritten signature in black ink, appearing to read "Edward Allen Lee", written over a horizontal line.

Edward Allen Lee, M.D.
Applicant