

Board of Medical Licensure & Supervision State of Oklahoma

5104 N. Francis Ave., Suite C
Oklahoma City, Oklahoma 73118-6087



P.O. Box 18256
Oklahoma City, Oklahoma 73154-0256

November 16, 2000

David Bryan Dye, M.D.
1401 N. 4th Avenue, #210
Purcell, OK 73080-1806

Re: Edward A. Lee, M.D.

Dear Dr. Dye:

Dr. Lee has advised me that you have agreed to be his mentor pursuant to his Agreement for Licensure with the Oklahoma State Board of Medical Licensure and Supervision. In this regard, Dr. Lee requested that I provide to you a letter setting forth your duties and obligations as Dr. Lee's mentor.

Since Dr. Lee is in a solo practice, the Board felt that it was extremely important that another doctor in the Purcell area monitor Dr. Lee's practice. In the Agreement for Licensure executed by Dr. Lee and the Board Secretary, the Board imposed numerous restrictions on Dr. Lee's practice in an attempt to protect the public from any future misdeeds by Dr. Lee. Key provisions of the Agreement for Licensure which would be affected by your mentoring of Dr. Lee include the following:

- 1 Dr. Lee must limit his work to forty (40) hours per week. As his mentor, you would need to confirm that Dr. Lee is not working more than forty (40) hours per week. You may confirm this by personal observation, talking with office staff, talking with hospital personnel, and reviewing hospital records or Dr. Lee's office logs. Again, if you ever become aware that Dr. Lee has worked more than forty (40) hours per week, you would have an affirmative duty to report this fact to the Board Secretary.
- 2 Dr. Lee must 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. Obviously you could not also be in the room with him at all times that he is examining female patients. However, you could

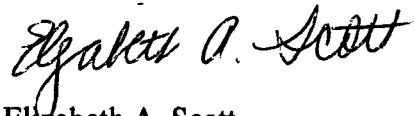
confirm this by talking with office staff on a routine basis. You must talk with the licensed female chaperone on a regular basis and review randomly selected charts to determine compliance. Obviously, if there was not a licensed health care provider at the office on a particular day, you would need to confirm that no female patients were seen that day by reviewing office records. While this particular requirement may be the most burdensome for you, it is probably one of the most important for you to perform due to Dr. Lee's prior history. Again, if you become aware of any alleged violations of this requirement, you have an affirmative duty to report the alleged violations to the Board Secretary.

3. You, as Dr. Lee's mentor, must provide quarterly reports to the Board Secretary regarding Dr. Lee's practice, including any concerns or complaints you have become aware of by either staff or patients. In this regard, you would need to periodically talk with staff to determine if Dr. Lee is fully complying with the terms of his Agreement for Licensure. Your quarterly reports should report compliance or noncompliance with all paragraphs set forth herein. You would also need to include your personal observations of Dr. Lee's practice. Your quarterly reports will be due on or before January 1, 2001 and each quarter thereafter on April 1, July 1 and October 1.
4. You will need to report any reported alleged violations by Dr. Lee to the Board Secretary. While all physicians have the affirmative duty to reports acts of unprofessional conduct to the Board, as Dr. Lee's mentor, your duty to report all alleged violations is even greater since you have agreed to watch Dr. Lee and assure that he complies with the Agreement for Licensure as well as the statutes and rules.
5. You may periodically be called before the Board to testify regarding Dr. Lee's actions and your monitoring of the same. As such, you may wish to document all actions taken by you to confirm that Dr. Lee is complying with the Agreement for Licensure and the statutes and rules. You may keep a record of each time that you speak with anyone about Dr. Lee or his practice, the date of the conversation, and result of your inquiry.

The above requirements are a minimum of what would be expected of you as Dr. Lee's mentor. As such, if this is not acceptable to you, please advise me as soon as possible. Otherwise, I will expect to receive your first quarterly report on or before January 1, 2001. You should be advised that pursuant to Dr. Lee's Agreement for Licensure, it is his responsibility to make sure that your quarterly report is timely submitted.

If you have any questions in this regard, please do not hesitate to call.

Very truly yours,

A handwritten signature in black ink that reads "Elizabeth A. Scott". The signature is written in a cursive style with a large, prominent initial "E".

Elizabeth A. Scott
Assistant Attorney General
State of Oklahoma

Attorney for the Oklahoma State
Board of Medical Licensure and Supervision

Cc: Lyle Kelsey, Executive Director