

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

FILED

NOV 10 2005

IN THE MATTER OF)
THE APPLICATION OF)

JAMES KENT ROBBERSON, M.D.)

FOR TERMINATION OF)
PROBATION FOR)
LICENSE NO. 11847)

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 99-03-2068

ORDER TERMINATING PROBATION

This matter came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on November 3, 2005, at the Board office, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and rules of the Board.

Applicant, James Kent Robberson, M.D., holding Oklahoma medical license no. 11847, appeared in person and pro se.

The Board sitting *en banc* after hearing testimony, reviewing the request and other materials presented, and being fully apprised of the premises, made the following Findings of Fact, Conclusions of Law and Orders:

FINDINGS OF FACT

1. 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.
2. Dr. Robberson currently holds medical license no. 11847 under an indefinite term of probation that commenced on or around November 3, 1999.
3. On March 15, 2001, Dr. Robberson requested that the terms of his probation be modified to allow him to prescribe controlled dangerous drugs to inpatients and to emergency room patients. The Board granted his requested modification.
4. On May 9, 2002, Dr. Robberson requested that the terms of his probation be modified to allow him to prescribe Schedule II through V controlled dangerous substances to nursing home patients, and to prescribe non-narcotic Schedule II, and both narcotic and non-narcotic Schedule III through V controlled dangerous substances to outpatients on duplicate, serially numbered prescriptions. Dr. Robberson also requested that his therapist submit reports

to the Board Secretary twice a year, rather than on a quarterly basis. The Board granted the requested modification.

5. On September 11, 2003, Dr. Robberson requested that the terms of his probation be modified to allow him to prescribe Schedule II controlled dangerous substances to outpatients on duplicate, serially numbered prescriptions with no dispensing, and that he be allowed to utilize a non-licensed female employee as a chaperone, with immediate notification to the Board when this occurs. The Board granted the requested modification.

6. Dr. Robberson has requested that his probation be terminated effective November 3, 2005.

7. Tom Sosbee, Compliance and Education Coordinator for the Board, testified that Dr. Robberson had complied to date with the terms of probation and that the Board staff did not object to the requested termination.

8. Dr. Robberson has complied to date in all respects with the terms of probation, and the purposes of the probationary period have been accomplished. Dr. Robberson has presented sufficient evidence to support the requested early termination.

CONCLUSIONS OF LAW

1 The Board has jurisdiction to hear this matter pursuant to 59 O. S. § 480 *et seq.*

2. Dr. Robberson has presented satisfactory evidence to justify termination of the remainder of his probationary period. The purposes of the probationary period have been accomplished by Dr. Robberson's compliance with the probationary terms. No useful purpose would be gained by having Dr. Robberson serve the remainder of his probationary term.


ORDER

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

1. Dr. Robberson's application to terminate probation is **GRANTED** and his probationary period is terminated effective November 3, 2005.

2. A copy of this written order should be sent to Dr. Robberson as soon as it is processed.

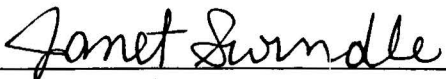
Dated this 10 day of November, 2005.



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

Certificate of Service

On the 10 day of November, 2005, a true and correct copy of this order was mailed, postage prepaid, to James K. Robberson, M.D., Robberson Clinic, 116 E. Robert S. Kerr Blvd., Wynnewood, OK 73098.



Janet Swindle