

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.)
)
PHILLIP JOSEPH KNIGHT, M.D.) CASE NO. 90-04-1039
Medical License No. 12150,)
)
) Defendant.)

ORDER CONTINUING HEARING
AND SUSPENDING LICENSE

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on October 26, 1990, at the office of the Oklahoma State Board of Medical Licensure and Supervision, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Daniel J. Gamino, Attorney, appeared for the Plaintiff; and C. Merle Gile, Attorney at Law, appeared for the Defendant.

The Board of Medical Licensure and Supervision en banc heard the oral argument of counsel, reviewed exhibits, and being fully advised in the premises, the Board of Medical Licensure and Supervision finds as follows:

FINDINGS OF FACT

1. That Defendant, Phillip Joseph Knight, M.D., holds Oklahoma Medical License No. 12150.
2. That the Oklahoma Board of Medical Licensure and Supervision en banc has jurisdiction over the subject matter herein and that notice has been given in all respects as required by law and the rules of the Board.
3. That following notice and hearing on September 1, 1990, the Defendant's Oklahoma Medical License No. 12150 was suspended with the term of the suspension to run until such time as Defendant produced evidence of successful completion of in-patient treatment and related residential out-patient treatment from the Talbott/Marsh Recovery Center, Atlanta, Georgia, or an equivalent program approved by the Board.
4. That evidence presently indicated that the Defendant had begun in-patient treatment at Jackson, Mississippi, and was presently engaged in in-patient therapy at that institution.
5. That said suspension of Defendant's Oklahoma Medical License should remain in full force and effect until the Defendant produces evidence of successful completion of in-patient treatment to the Board Secretary or to the Board en banc.
6. That hearing on this matter previously scheduled for October 26, 1990, should be and the same is hereby continued until reset upon the application of the Defendant.

7. That all of the Defendant's objections and affirmative defenses are preserved and no ruling is entered thereon.

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over this matter pursuant to the Oklahoma Medical Practice Act, 59 O.S. Supp. 1989, Sec. 481 et seq.

ORDER

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

1. That the suspension of Defendant's Oklahoma Medical License No. 12150 imposed following notice and hearing on September 1, 1990, should be and the same is hereby retained and the suspension is kept in place. That the suspension shall run until such time as the Defendant produces evidence of successful completion of in-patient treatment and related residential out-patient treatment from the Physician Recovery Center, Jackson, Mississippi, or an equivalent program approved by the Board.

2. That during the time of his licensure suspension, Defendant should review terms of the Oklahoma Medical Practice Act, Rules and Regulations of the Board relating to controlled dangerous substances, and applicable laws of the Oklahoma Bureau of Narcotics and Dangerous Drugs, and United States Drug Enforcement Administration.

3. That all of the Defendant's objections and affirmative defenses are preserved and no ruling is entered thereon.

DATED this 1st day of November, 1990.

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

APPROVED AS TO FORM:

Daniel J. Gamino
DANIEL J. GAMINO OBA #3227
Daniel J. Gamino & Associates, P.C.
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ATTORNEY FOR PLAINTIFF

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this 2 day of November, 1990, to:

C. MERLE GILE
Attorney at Law
3150 Liberty Tower
100 North Broadway
Oklahoma City, OK 73102

Garnet Owens