

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

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel.,)
STATE BOARD OF MEDICAL)
LICENSURE AND SUPERVISION)
)
Plaintiff,)
)
vs)
)
TIMOTHY W. GRODE, M.D.)
MEDICAL LICENSE NO. 12230)
)
Defendant.)

FILED

JUN 05 1997

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

CASE NO. 94-08-1642

FINAL ORDER MODIFYING TERMS OF PROBATION

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the "Board") on May 16, 1997, at the offices of the Board, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and rules of the Board.

The Defendant was not present; Mr. Tom Sosbee, Compliance and Education Coordinator presented an oral motion on behalf of the staff for modification of the probation of Defendant.

The Board en banc heard testimony, reviewed exhibits and being fully apprised of the premises, made the following Findings of Fact:

FINDINGS OF FACT

1. That Defendant, Timothy W. Grode, M.D. holds Oklahoma Medical License No. 12230.
2. That 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.
3. That on or around December 2, 1994, the Oklahoma State Board of

Medical Licensure and Supervision accepted a Voluntary Submittal To Jurisdiction.

4. That the Defendant was in substantial compliance with the terms and conditions of probation as accepted by the Board.
5. That evidence was presented to support modifying his probation to require meetings with the Secretary/Medical Advisor on an as needed basis rather than quarterly.

CONCLUSIONS OF LAW

1. That the decision to modify the probation is within the sound discretion and judgment of the Board.

ORDER

It is therefore ORDERED by the Oklahoma State Board of Medical Licensure and Supervision that the probation of Timothy W. Grode, M.D., holding Oklahoma Medical License No. 12230 be modified.

1. That the five (5) year probation of Timothy W. Grode, M.D. be continued under the following terms and conditions:
 - a. During the period of probation the Defendant will not prescribe, administer or dispense any medications for his personal use, to specifically include controlled dangerous substances;
 - b. During the period of probation the Defendant will take no medication except that which is authorized by a physician treating the Defendant for a legitimate medical need, and the Defendant shall have the affirmative duty to inform any physician treating him of the Defendant's previous substance abuse;
 - c. During the period of probation the Defendant will abstain from consuming any substance which adversely affects his ability to practice medicine and surgery with reasonable skill and safety;
 - d. During the period of probation the Defendant will submit biological fluid specimens to include, but not be limited to, blood and urine for analysis, upon request of any investigator or other person representing the Board, the cost of analysis shall be paid by the

Defendant;

- e. During the period of probation the Defendant shall have the affirmative duty not to engage in any activity or to ingest any medication or substance that will test positive for any controlled dangerous substance except for medication properly prescribed by a physician for a legitimate medical need documented to the Board;
- f. During the period of probation the Defendant shall maintain a program of abstinence through participation in and/or association with any or all organizations, groups or individuals selected by the Board. The Defendant is required to attend weekly meetings of the Physician's Recovery Committee. The Defendant agrees to provide proof of attendance to the Board;
- g. The Defendant shall comply with and fulfill all terms and conditions of his aftercare programs of his in-patient treatment;
- h. During the period of probation the Defendant shall prescribe controlled dangerous substances only under circumstances which legitimately require such prescriptions. All such prescriptions shall be written upon duplicate, sequentially numbered prescription forms. The Defendant shall not call in any prescriptions nor administer or dispense controlled dangerous substances;
- i. During the period of probation the Defendant shall not accept, receive, or sign for in any manner any samples of any drugs, except those drugs approved by the Board Secretary;
- j. During the period of probation the Defendant shall appear before the Board or the Secretary of the Board whenever requested to do so;
- k. During the period of probation the Defendant shall submit to the Investigative Division of the Board any required reports and forms on a timely basis;
- l. The Defendant shall promptly pay within thirty (30) days of receipt of an invoice from the Board all costs of the investigation, prosecution and probation of this case. Costs of probation which are incurred on a monthly basis shall be paid by the Defendant within thirty (30) days of invoice therefor. The Defendant may seek

deferment of payment in accordance with the rules of the Board;

- m. During the period of probation the Defendant shall notify any hospital where he holds staff privileges, or clinic, or group where he practices of the terms and conditions of this Order and provide a copy thereof;
- n. During the period of probation the Defendant shall not supervise a Physician Assistant;
- o. During the period of probation the Defendant shall meet with the Secretary on an as needed basis.

2. Violation of any term of probation shall be grounds for additional charges to be presented to the Board after notice to the Defendant.

3. The Defendant shall conduct his practice in compliance with the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act.

4. The jurisdiction of the Board in this action shall continue until the terms and conditions of probation are ended, or modified or lifted by the Board upon motion.

Dated this 5 day of June, 1997.

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

CERTIFICATE OF MAILING

This is to certify that on this 11 day of June, 1997, a true and correct copy of this Order was mailed, postage prepaid, to:

Timothy W. Grode, M.D.
1220 SOUTH SANTA FE AVE
EDMOND, OK 73003

Janet L Owens