

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

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel.)
the OKLAHOMA BOARD OF MEDICAL)
LICENSURE AND SUPERVISION,)

Plaintiff,)

vs.)

Case No. 95-05-1692

DENNIS LYNN WALKER, M.D.)
Medical License No. 12236,)

Defendant.)

ORDER

NOW ON this 19th day of May, 1995, there comes on before the Secretary of the Oklahoma Board of Medical Licensure and Supervision (the "Secretary"), the above-styled and -numbered emergency administrative action against Dennis Lynn Walker, M.D., the defendant herein. Dennis Lynn Walker, M.D. ("Walker"), appears in person. The staff appears by and through counsel of record, James Robert Johnson, Assistant Attorney General. Whereupon, the parties announced that an agreement has been reached in this matter, as evidenced by the signature of Walker, below:

STIPULATED FACTS

1. Walker is a licensed physician in the State of Oklahoma.
2. The Board of Medical Licensure and Supervision has licensure jurisdiction over him.
3. Walker currently suffers from physical impairment which prevents him from performing surgery with reasonable skill and safety. More specifically, Walker exhibits symptoms of a hyperkinetic movement disorder of a currently unknown origin.

4. Walker has performed surgical procedures in his office up to this date.

5. On or about April 6, 1995, in the course of a routine procedure on the back of patient D.B. and as a result of the physical impairment of Walker, Walker incised the eyebrow of patient D.B, which incision was not part of the surgical procedure.

6. It is necessary that Walker practice medicine with due regard for the welfare of his patients.

7. To this end, Walker agrees to cease performing any surgical procedure whatsoever, whether in his office or any other medical facility or hospital. Further, Walker agrees not to perform any injections whatsoever into any patient, provided that Walker may continue to order injections for patients so long as another qualified and trained person performs the injection.

8. Recognizing the authority of the Board, pursuant to 59 O.S.Supp.1994, § 509 (16), to request Walker to submit to medical examination in this type of case, Walker agrees to submit himself for complete medical examination and evaluation to a neurologist selected by the Secretary to determine the ability of Walker to practice medicine and surgery with reasonable skill and safety. Said examination and evaluation shall be completed and the results submitted to the Board's offices no later than July 7th, 1995.

CONCLUSIONS OF LAW

1. This action is brought pursuant to 75 O.S. 1991, § 314, which authorizes the Board to take emergency action at such times as is imperatively required for the protection of the public health,

safety and welfare;

2. Pursuant to its statutory authority, the Board has delegated to the Secretary of the Board, in its promulgated rules, the authority to conduct an emergency hearing at such times as are warranted by Article II of the Administrative Procedures Act, 75 O.S.1991, § 314. 59 O.S. § 491.1, OAC 435:1-1-10;

3. Walker poses an immediate risk to the health, safety and welfare of the public, which warrants the immediate limitation on Walker's medical license to prohibit Walker from performing any surgical procedure or injection whatsoever.

ORDER

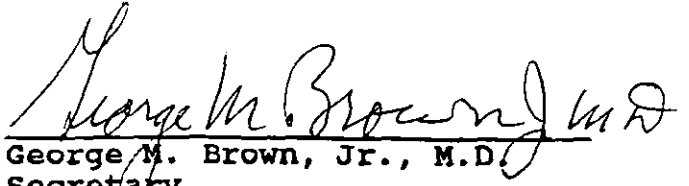
It is therefore the ORDER of the Secretary of the Board that the defendant, Dennis Lynn Walker, M.D. shall immediately cease performing any surgical procedure whatsoever, whether in his office or any other medical facility or hospital. It is further ORDERED that Walker shall not perform any injections whatsoever into any patient, provided that Walker may continue to order injections for patients so long as another qualified and trained person performs the injection.

It is further ORDERED that the defendant, Dennis Lynn Walker, M.D., shall submit himself for complete medical examination and evaluation to a neurologist selected by the Secretary to determine the ability of Walker to practice medicine and surgery with reasonable skill and safety. Said examination and evaluation shall be completed and the results submitted to the Board's offices no later than July 7th, 1995.

This Order shall continue in effect until this matter is heard

by the Board, en banc, at the July 15th, 1995, meeting of the Board.

Done this 19th day of May, 1995.


George M. Brown, Jr., M.D.
Secretary
Oklahoma Board of Medical
Licensure and Supervision

Accepted as to terms and conditions:


Dennis Lynn Walker, M.D.

JRJ/jjj:Walker.ord