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

#### STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel, ۱, OKLAHOMA STATE BOARD OF MEDICAL LICENSURE AND ì SUPERVISION, Plaintiff, CASE NO. 95-05-1692 v. 1 DENNIS LYNN WALKER, M.D. ) Medical License No. 12236. ) Defendant. )

â

## FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on July 15, 1995, 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 Dennis Lynn Walker, M.D., Defendant, appeared by and through Agreement previously executed with the Board staff and made a part of the record hereof.

The Oklahoma Board of Medical Licensure and Supervision en banc reviewed initial pleadings, considered the emergency Order heretofore entered, and considered statements of legal counsel, and being fully advised in the premises, the Board of Medical Licensure and Supervision finds and orders as follows:

#### FINDINGS OF FACT

1. That Defendant, Dennis Lynn Walker, M.D., holds Oklahoma Medical License No. 12236.

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.

That on or around May 19, 1995, there came on before 3. the Secretary of the Oklahoma Board of Medical Licensure and Supervision an emergency hearing regarding Defendant Walker. After hearing evidence and reviewing exhibits, the Secretary of the Oklahoma Board of Medical Licensure and Supervision did order that Defendant Walker immediately cease performing any surgical procedure whatsoever, whether in his office or any other medical facility or hospital. It was further ordered that Defendant Walker should 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 was further ordered that Defendant Walker should submit himself to 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 results submitted to the Board office no later than July 7, 1995.

4. Thereafter, Defendant Walker did submit himself for examination by Jeanne Ann King, M.D., Assistant Professor,

Department of Neurology, University Hospitals, Oklahoma City. A copy of her report was reviewed by the members of the Board en banc.

5. That Defendant Walker did heretofore meet with Board Secretary Dr. Brown and did voluntarily enter into an Agreement which provides in part that Defendant Walker would practice medicine only in accordance with the Board's emergency Order and that effective September 30, 1995, Defendant Walker will permanently retire from the practice of medicine and surgery in any capacity in the State of Oklahoma, and effective October 1, 1995, Defendant Walker will accept the status of Physician Emeritus.

6. The Board finds that the terms and conditions of the aforementioned Agreement are sufficient and appropriate and should be adopted by the Board en banc.

## CONCLUSIONS OF LAW

1. The Board has jurisdiction of this matter pursuant to the Oklahoma Medical Practice Act, 59 0.5. Supp. 1994, Sec. 481 et seq., by the emergency Order issued herein by the Board Secretary, and by the Agreement executed by the Defendant.

## ORDER

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

1. That the Defendant, Dennis Lynn Walker, M.D., holding Oklahoma Medical License No. 12236, shall heretofore practice medicine only in accordance with the Board's emergency Order of May 19, 1995.

2. That effective September 30, 1995, Defendant Walker will permanently retire from the practice of medicine and surgery in any capacity in the State of Oklahoma.

3. That effective October 1, 1995, Defendant Walker will accept the status of Physician Emeritus.

4. That at the regularly scheduled meeting of the Board in September, 1995, in the event of Defendant Walker's compliance hereto the Board staff will recommend dismissal without prejudice of all allegations set forth in the Complaint.

5. That Defendant Walker's failure to comply with his Agreement of July 14, 1995, and with this Board Order may subject Defendant Walker to investigation, possible prosecution and sanction of licensure through additional emergency administrative hearing.

DATED this 3/5 day of July, 1995.

GEORGE M. PROWN, JR., M.D., Secretar State Board of Medical Licensure and Supervision

APPROVED AS TO FORM: i min DANIEL J. GAMINO OBA #3227 Daniel J. Gamino & Associates, P.C.

Daniel J. Gamino & Associates, 3315 NW 63 Oklahoma City, OK 73116 (405) 840-3741 ATTORNEY FOR PLAINTIFF

# CERTIFICATE OF MAILING

4

م د استعد

I hereby certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this <u>A</u> day of July, 1995, to: Ungust DENNIS LYNN WALKER 427 E. Cherokel Que End OK 73701-5823 \_\_\_\_\_\_\_\_\_\_