

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.)

)

RONALD B. SHAW, M.D., CASE NO. 87-3-491
Medical License No. 12282,

Defendant.)

ORDER REDUCING PROBATION TO LEVEL II

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on October 20, 1989, at the office of the Oklahoma State Medical Association, 601 N.W. Expressway, 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 Ronald B. Shaw, M.D., Defendant, appeared in person, pro se, without counsel, and advised he was ready to proceed without the assistance of counsel.

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

FINDINGS OF FACT

1. That Defendant, Ronald B. Shaw, M.D., holds Oklahoma Medical License No. 12282.

2. That the 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 on or around September 12, 1987, Defendant was placed on probation to the Board for a period of five (5) years under the general terms and conditions wherein Defendant was prohibited from prescribing, administering or dispensing any medication for his personal use and ordered to take no medication except that which was authorized by a physician treating him for a legitimate medical need, for the Defendant to abstain from consuming alcohol or any substance, specifically including but not limited to controlled dangerous substances, which would adversely affect his ability to practice medicine or surgery, to submit biological fluid specimens for analysis upon request of any investigator or other agent representing the Board, to continue attendance at regular meetings of Alcoholics Anonymous and regular meetings of the OSMA Physicians Recovery Committee in Oklahoma City, to keep the Board apprised of his legal address, to appear before the Board or a designated member when requested, and to submit any required reports and forms to the Investigation Division on a prompt and timely basis.

4. That on or around April 23, 1988, Defendant requested, in writing, to remain on probation but to reduce the level of monitoring and associated costs from Level I to Level II.

5. That at hearing on September 15, 1988, the Board found that the Defendant had been in compliance with the terms and conditions of probation and that the Defendant should be publicly commended for his record to date, however, the Board felt that for the time being the Defendant should remain on probation with review at the Level I intensity.

6. That since that hearing the Defendant has remained in compliance with terms and conditions of probation and that the Defendant's request for reduction from Level I to Level II should be granted and that such reduction will not endanger public health, safety or welfare.

CONCLUSIONS OF LAW

1. That Defendant, Ronald B. Shaw, M.D., is lawfully under the jurisdiction of the Oklahoma Board of Medical Licensure and Supervision originally for a term of five (5) years beginning on September 12, 1987, and it is within the power and discretion of the Board to modify terms and conditions of probation and to terminate probation upon receipt of sufficient evidence.

ORDER

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

1. That the Defendant, Ronald B. Shaw, M.D., holding Oklahoma Medical License No. 12282, should be and is hereby continued on probation, but that the level of probation is reduced from Level I to Level II.

2. That Defendant must still comply with the terms and conditions of probation originally set forth following hearing on September 11, 1987, as follows:

(a) During the period of probation 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 Defendant will take no medication except that which is authorized by a physician treating him for a legitimate medical need and Defendant shall have an affirmative duty to inform any physician treating him of Defendant's previous use and dependency on alcohol and drugs.

(c) During the period of probation Defendant will abstain from consuming alcohol or any substance, specifically including but not limited to controlled dangerous substances, which would adversely affect his ability to practice medicine or surgery as interpreted by the Oklahoma State Board of Medical Licensure and Supervision.

(d) During the period of probation Defendant will submit biological fluid specimens to include, but not limited to, blood and urine, for analysis, upon request of any investigator or other agent representing the Oklahoma State Board of Medical Licensure and Supervision, and Defendant will pay for testing and analysis of those specimens.

(e) During the period of probation Defendant will continue regular meetings of Alcoholics Anonymous and regular meetings of the OSMA

Physicians Recovery Committee in Oklahoma City and does hereby authorize investigators to monitor his attendance at same.

(f) During the period of probation Defendant will furnish to the office of the Oklahoma State Board of Medical Licensure and Supervision all current legal addresses and any change of address in writing.

(g) That Defendant shall appear before the Board or a designated member thereof whenever requested to do so.

(h) During the period of probation Defendant will submit to the Investigation Division of the Oklahoma State Board of Medical Licensure and Supervision any required reports and forms on a timely and prompt basis.

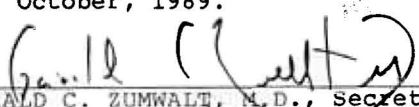
(i) During the period of probation Defendant will keep duplicate, serially-numbered prescriptions for all controlled dangerous substances prescribed and shall make such records available to any inspector of the Oklahoma State Board of Medical Licensure and Supervision.

(j) Pursuant to Section 26, H.B. 1478, 1987 Legislature, Defendant shall promptly pay upon receipt of invoice from the Investigation Division of the Board the costs of investigation, prosecution and probation of this case.

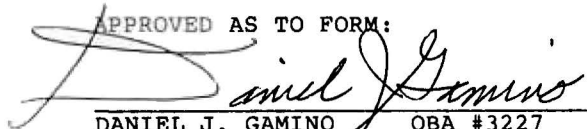
3. That the jurisdiction of the Board in this individual proceeding will continue until the terms and conditions of probation are modified or lifted by the Oklahoma Board of Medical Licensure and Supervision on their own motion or on the motion of the Defendant.

4. Failure to meet any of the above terms of probation, including the presence of foreign substances in his bodily fluids, will constitute cause for the Board to initiate proceedings to suspend or revoke Defendant's medical license, after due notice and hearing.

DATED this 26 day of October, 1989.


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

APPROVED AS TO FORM:


DANIEL J. GAMINO OBA #3227
Daniel J. Gamino & Associates, P.C.
3315 NW 63
Oklahoma City, OK 73116
(405) 840-3741
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 27 day of October, 1989, to:

RONALD B. SHAW, M.D.
501 SW 5, Suite 211
Moore, OK 73160

Janet L Owens