

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.)
)
B. MICHAEL VINSON, M.D.) CASE NO. 91-12-1275
Medical License No. 12367,)
)
Defendant.)

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on February 29, 1992, 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 B. Michael Vinson, M.D., Defendant, appeared in person, pro se, waived his right to counsel and agreed to proceed without counsel.

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

FINDINGS OF FACT

1. That Defendant, B. Michael Vinson, M.D., holds Oklahoma Medical License No. 12367.
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 in October, 1991, Defendant was in the Prague, Oklahoma, Hospital and appeared to be impaired because of his physical mannerisms, his eyes and his speech. Also, in the same month of October, 1991, representatives of the Prague Police Department went to the Defendant's residence in order for the Defendant to take a call on a patient, J.S. Representatives of Prague Police Department pounded on the Defendant's doors and windows for a long period of time and called out Defendant's name but were never able to rouse the Defendant.
4. That in February, 1992, in telephone conversation with the undersigned investigator, Defendant sounded very lethargic, and his voice was a complete monotone with no normal inflection, and Defendant was nervous to the point of paranoid about the investigator subsequently visiting the Defendant's residence.
5. That on or around February 13, 1992, Defendant was interviewed at his residence and Defendant admitted taking Desyrel since 1980 or 1981 and then, a few years later, Defendant also began taking Lithium and was in fact taking both medications presently on a program of self-administration, without a treating physician.

6. That on February 13, 1992, Defendant admitted to seeing and examining patients at his residence and also on a house-call basis and that Defendant did prescribe certain scheduled drugs for some of the patients but Defendant did not maintain records of the patient examinations or records of prescriptions written for controlled dangerous substances or records of any other therapies.

7. That also on February 13, 1992, Defendant appeared very lethargic, monotoned in voice, dry-mouthed, constantly licking his lips and overall very listless.

8. That the evidence indicates that public health, safety and welfare imperatively requires emergency action to suspend the Defendant's Oklahoma medical license until a full hearing is held on the merits of the case.

9. That absent emergency action Defendant is in a position to perpetuate significant harm to public health, safety and welfare by continuing the acts and omissions set forth in the above allegations.

CONCLUSIONS OF LAW

1. That B. Michael Vinson, M.D., holding Oklahoma Medical License No. 12367, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, Sec. 509, Paragraphs 13 and 16, to-wit:

"13. Prescribe or administer a drug or treatment without sufficient examination and the establishment of a valid physician-patient relationship."

"16. Inability to practice medicine with reasonable skill and safety to patients by reason of age, illness, drunkenness, excessive use of drugs, narcotics, chemicals, or any other type of material or as a result of any mental or physical condition."


ORDER

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

1. That the Defendant, B. Michael Vinson, M.D., holding Oklahoma Medical License No. 12367, should be and is hereby SUSPENDED from the practice of medicine and surgery in Oklahoma. This suspension will remain in full force and effect until such time as the Defendant presents evidence of psychiatric evaluation and treatment by a psychiatrist mutually acceptable to the Board and the Defendant, along with the psychiatrist's prognosis of the Defendant's condition. The Board will review psychiatric evaluation at its first meeting after the Board staff receives the full evaluation.

2. That this emergency action is necessary to protect public health, safety and welfare, and is imperatively required under evidence presented in the case.

DATED this 5 day of March, 1992.


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.
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 9 day of March, 1992, to:

B. MICHAEL VINSON, M.D.
1322 "A" Ave.
Prague, OK 74864

Janet Owens