

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

FINAL ORDER OF SUSPENSION  
AND ACKNOWLEDGMENT OF  
VOLUNTARY SURRENDER OF LICENSE

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on June 27, 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 heard 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 following notice and hearing on February 29, 1992, the Board made findings of fact and found that an emergency existed as set forth in the following paragraphs.
4. 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.
5. 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.

6. 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.

7. 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.

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

9. 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.

10. 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.

11. That following notice and hearing on February 29, 1992, the Board ordered Defendant's medical license suspended with the suspension to 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 noted it would review the psychiatric evaluation at its first meeting after the Board staff receives the full evaluation.

12. That the Defendant appeared on June 27, 1992, and provided behavioral medical chart and status letter from Everett E. Bayne, M.D., Oklahoma City Clinic-South, 8315 S. Walker, Oklahoma City, OK 73139. That physician is not Board certified and was not acceptable to the Board staff.

13. Based on evidence received, suspension should remain in force and effect until a further and more complete evaluation can be done by a physician or group to be recommended by the Physician Recovery Committee of the Oklahoma State Medical Association.

14. That after the Board voted to take that action in disposition of this matter, the Defendant announced in open court that he was surrendering his Oklahoma medical license and withdrew his personal, wallet identification card as a licensed physician and surgeon in the State of Oklahoma and threw it on the floor in front of the members of the Board and left the hearing room.

#### 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:

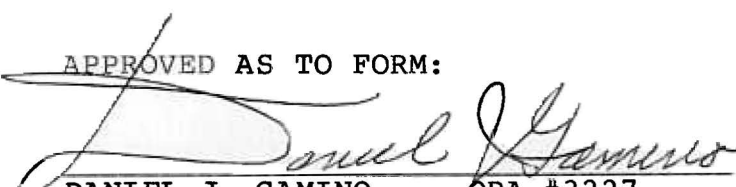
1. That Defendant, B. Michael Vinson, M.D., holding Oklahoma Medical License No. 12367, should be and is hereby SUSPENDED from the practice of medicine and surgery in Oklahoma. This suspension shall remain in full force and effect until such time as the Board can review and evaluate a further and more complete evaluation of the Defendant to be done by a physician or group as recommended by the Physician Recovery Committee of the Oklahoma State Medical Association. The Board will review that evidence at its first meeting after the Board staff receives the evidence.

2. That the Defendant's voluntary surrender, instanter, of his Oklahoma medical license by removing his wallet identification card of licensure and throwing it on the floor in front of the Board members is accepted.

DATED this 9 day of July, 1992.

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

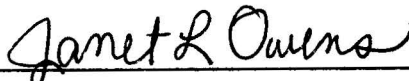
APPROVED AS TO FORM:

  
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 13 day of July, 1992, to:

B. MICHAEL VINSON  
PO Box B  
Prague OK 74864

  
\_\_\_\_\_