

FILED

DEC 06 2002

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 00-09-2237

3. Defendant is now seeking reinstatement of his Oklahoma medical license no. 12616.

CONCLUSIONS OF LAW

1 The Board has jurisdiction to reinstate the license of a physician pursuant to 59 O.S. §508.

2. The Board may impose practice parameters and other restrictions as necessary to protect the health, safety and welfare of the public under 59 O.S. §480 *et seq.*

ORDER

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

1. Defendant's medical license shall be reinstated under the following terms and conditions of **PROBATION**, which shall continue for a period of five (5) years from the date of reinstatement under the following terms and conditions:

A. The Defendant shall obtain a practice monitor who shall monitor Defendant's work and periodically review his charts in accordance with the recommendations of the University of Oklahoma Health Sciences Center Department of Psychiatry and Behavioral Sciences. The practice monitor shall be approved by both Defendant and the Board or its designee. Defendant shall provide quarterly reports from his practice monitor to the Board Secretary regarding Defendant's practice, including any concerns or complaints expressed by staff or patients.

B. Defendant shall continue therapy with a therapist to address his depressive symptomatology. Defendant shall authorize in writing the release of any and all records of that treatment to the Board or its designee.

C. Defendant shall enter and continue psychiatric treatment with a psychiatrist approved in advance by the Board Secretary for psychopharmacological medication management and treatment for the care of his depressive disorder. Defendant shall authorize in writing the release of any and all records of that treatment to the Board or its designee.

D. In approximately one year from the date of reinstatement, Defendant shall engage in a repeat neuropsychological evaluation in accordance with the recommendations of the University of Oklahoma Health Sciences Center Department of Psychiatry and Behavioral Sciences.

E. During the entire period of probation, Defendant shall be monitored by the Oklahoma Health Professionals Recovery Program. Defendant shall allow his therapist and psychiatrist to forward quarterly reports regarding his medication management and psychotherapy to the Oklahoma Health Professionals Recovery Program to assist in the monitoring process.

F. Defendant shall practice only in a group practice format or in a hospital practice format, to be approved in advance in writing by the Board Secretary.

G. In approximately one year from the date of reinstatement, Defendant shall return to a professionals assessment program following his neuropsychological reassessment for further recommendations regarding his ongoing care and monitoring of his practice of psychiatry.

H. Defendant will request all hospitals, clinics and other facilities in which he practices to furnish to the Board a written statement monitoring his practice whenever so requested by the Board or its designee.

I. Defendant will execute such releases of medical and psychiatric records during the entire term of probation as necessary for use by the Compliance Consultant or other Board designee to obtain copies of medical records and authorize the Compliance Consultant or other Board designee to discuss Defendant's case with Defendant's treating physicians and/or any physicians holding Defendant's records.

J. Defendant will conduct his practice in compliance with the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act as interpreted by the Board. Any question of interpretation regarding the Act or this order shall be submitted in writing to the Board, and no action based on the subject of the question will be taken by Defendant until clarification of interpretation is received by Defendant from the Board or its designee.

K. Defendant will furnish a copy of this order to each and every state in which he holds licensure or applies for licensure and to all hospitals, clinics or other facilities in which he holds or anticipates holding any form of staff privileges or employment.

L. Defendant will not supervise allied health professionals that require surveillance of a licensed physician.

M. Defendant will keep the Board informed of his current address.

N. Defendant will keep current payment of all assessment by the Board for prosecution, investigation and monitoring of his case, including but not limited to a \$100.00 per month monitoring fee.


O. Until such time as all indebtedness to the Board has been satisfied, Defendant will reaffirm said indebtedness in any and all bankruptcy proceedings.

P. Defendant shall make himself available for one or more personal appearances before the Board or its designee upon request.

2. During the period of probation, failure to meet any of the terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke Defendant's license, after due notice and hearing.

3 A copy of this written order shall be sent to Defendant as soon as it is processed.

Dated this day of December, 2002.


Gerald C M.D., Secretary
Oklahoma State Board of Medical
Licensure and Supervision

Certificate of Service

On the 6 day of Dec, 2002, a true and correct copy of this order was mailed, postage prepaid, to Stan Ward, 629 24th Avenue SW, Norman, OK 73069 and Gary Paul Kula, 332 Collier Dr., Norman, OK 73069.


Janet Swindle