

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

STATE OF OKLAHOMA EX REL.  
THE OKLAHOMA BOARD OF MEDICAL  
LICENSURE AND SUPERVISION,

Plaintiff,

vs.

GARY PAUL KULA, M.D.,  
LICENSE NO. 12616,

Defendant.

Case No. 12-07-4579

**FILED**

JAN 07 2013

**ANSWER**

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Gary Paul Kula, M.D., License No. 12616, states:

1. Dr. Kula admits the allegations contained in paragraphs 1, 2, 3, 4 and 5 of the State of Oklahoma ex rel. The Oklahoma Board of Medical Licensure and Supervision's (hereinafter "Board") Complaint.

2. Concerning paragraphs 6, 7 and 8 of the Board's Complaint, Dr. Kula admits that a patient grievance was filed with the Client Rights Department, Rusk State Hospital, Rusk, Texas, a state psychiatric facility. Dr. Kula asserts that "Clients Rights' Complaints" are a commonly used grievance-type process at Rusk State Hospital. Dr. Kula additionally asserts that he did not, at the time of application, consider the Clients Rights' Complaints process to be synonymous with an investigation or disciplinary action by a hospital, clinic, practice group or residency program. Additionally, Dr. Kula asserts that he did not intend to mislead the Board in licensure application.

3. Concerning paragraphs 9, 10, 11 and 12 of the Board's Complaint, Dr. Kula admits that a patient grievance was filed with the Client Rights Department, Rusk State Hospital, Rusk,

Texas, a state psychiatric facility. Dr. Kula asserts that Clients Rights' Complaints are a commonly used grievance-type process at Rusk State Hospital. Dr. Kula additionally asserts that he did not, at the time of application, consider the Clients Rights' Complaints process to be synonymous with an investigation or disciplinary action by a hospital, clinic, practice group or residency program. Additionally, Dr. Kula asserts that he did not intend to mislead the Board in licensure application.

4. Concerning paragraphs 13, 14, 15, 16, 17 and 18 of the Board's Complaint, Dr. Kula admits that patient grievances were filed with the Client Rights Department, Rusk State Hospital, Rusk, Texas, a state psychiatric facility. Dr. Kula asserts that Clients Rights' Complaints are a commonly used grievance-type process at Rusk State Hospital. Dr. Kula additionally asserts that he did not, at the time of application, consider the Clients Rights' Complaints process to be synonymous with an investigation or disciplinary action by a hospital, clinic, practice group or residency program. Additionally, Dr. Kula asserts that he did not intend to mislead the Board in licensure application.

5. Concerning paragraph 19 of the Board's Complaint, Dr. Kula admits that a patient grievance was filed with the Clients Rights Department, Rusk State Hospital, Rusk, Texas, a state psychiatric facility. Dr. Kula asserts that Clients Rights' Complaints are a commonly used grievance-type process at Rusk State Hospital. Dr. Kula additionally asserts that he did not, at the time of application, consider the Clients Rights' Complaints process to be synonymous with an investigation or disciplinary action by a hospital, clinic, practice group or residency program. Additionally, Dr. Kula asserts that he did not intend to mislead the Board in licensure application.

6. Concerning paragraph 20 of the Board's Complaint, Dr. Kula admits that the Texas Department of State Health Services notified him to respond to allegations of an incident on

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February 14, 2012. Dr. Kula asserts that he did respond to the Texas Department of State Health Services and that he is currently in the process of attending certain treatment protocols and is being monitored by the Texas Department of State Health Services and that his Texas medical license is not restricted.

7. Dr. Kula admits the allegations contained in paragraph 21 of the Board's Complaint.

8. Concerning paragraphs 22, 23, 24 and 25 of the Board's Complaint, Dr. Kula admits that patient grievances were filed with the Clients Rights Department, Rusk State Hospital, Rusk, Texas, a state psychiatric facility. Dr. Kula asserts that Clients Rights' Complaints are a commonly used grievance-type process at Rusk State Hospital. Dr. Kula additionally asserts that he did not, at the time of application, consider the Clients Rights' Complaints process to be synonymous with an investigation or disciplinary action by a hospital, clinic, practice group or residency program. Further, Dr. Kula asserts that he appropriately responded to the notification by the Texas Department of State Health Services and is working with the Texas Department of State Health Services concerning the event of February 14, 2012. Additionally, Dr. Kula asserts that he did not intend to mislead the Board in licensure application.

BUTTS & MARRS, P.L.L.C.

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Certificate of Service

On this 7<sup>th</sup> day of January, 2013, true and correct copy of the within and foregoing ANSWER was mailed, with sufficient postage fully prepaid thereon, to the following counsel of record:

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