

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.)
)
TIMOTHY HILL, M.D.,)
LICENSE NO. MD 12712,)
)
Defendant.)

FILED
MAR 30 2017
OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 12-08-4594

**ORDER DENYING APPLICATION FOR
REINSTATEMENT OF MEDICAL LICENSE**

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision ("Board") on January 12, 2017, at the office of the Board, 101 N.E. 51st Street, Oklahoma City, Oklahoma 73105, pursuant to notice given as required by law and the rules of the Board.

Timothy Hill, M.D., ("Defendant") appeared in person, *pro se*.

Joseph L. Ashbaker, Assistant Attorney General, appeared on behalf of the State of Oklahoma ("State").

The Board having considered testimony and evidence presented finds that a preponderance of the evidence supports the following findings of fact, conclusions of law and orders:

Findings of Fact

1. Defendant holds Oklahoma medical license no. 12712, which was issued on July 1, 1980 and is inactive since July 1, 2014.
2. A Complaint and Citation were filed on May 24, 2013, for alleged prescribing violations. A hearing date was set for July 11, 2013.
3. At the July 11, 2013 Board meeting, Defendant offered and the Board accepted a Voluntary Submittal to Jurisdiction ("VSJ") based on prescribing violations, whereby Defendant received a fine of \$10,000, six (6) months **SUSPENDED** license beginning December 18, 2012 and ending June 18, 2013, and conditions of **PROBATION** for a

term of five (5) years. An Order Accepting Voluntary Submittal to Jurisdiction was filed on July 25, 2013 (“VSJ”).

4. Defendant failed to renew his Oklahoma medical license after it became inactive on July 1, 2014.
5. On September 1, 2016, Defendant applied for reinstatement of his Oklahoma medical license.
6. At the January 12, 2017 Board meeting, Dr. Robert Westcott, Medical Director of the Oklahoma Health Professionals Program testified. Defendant testified on his own behalf.

Conclusions of Law

7. The Board has jurisdiction over the subject matter and is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physicians and surgeons in the State of Oklahoma. 59 O.S. 2011, § 480 *et seq.* Okla. Admin. Code §§ 435:10-4-1, 435:10-4-2.
8. Defendant has failed to sustain his burden of proof for reinstatement of his medical license, including the requirement that he be of good moral character. 59 O.S. 2011, §§ 492.1, 495h.
9. The Board concluded that the application for reinstatement of the medical license of Timothy Hill, M.D. should be denied.

Orders

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

1. The application to reinstate Oklahoma medical license of **TIMOTHY HILL, M.D.**, is **DENIED**.
2. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees, investigation costs, staff time, salary and travel expenses, witness fees and attorney’s fees.
3. A copy of this Order shall be provided to Defendant as soon as it is processed.
4. **This Order is subject to review and approval by the Oklahoma Attorney General, and this Order shall become final upon completion of the review by the Oklahoma Attorney General unless disapproved, in which case this Order shall be null and void.**

Dated this 30th day of March, 2017.



Billy H. Stout, M.D., Board Secretary
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION

Certificate of Service

This is to certify that on the 31st day of March, 2017, a true and correct copy of this Order was transmitted as specified, postage prepaid, to the following:

U.S. Certified Mail
Timothy Hill, M.D.
2247 N.W. 42nd Street
Oklahoma City, Oklahoma 73112
Defendant, pro se



Nancy Thiemann, Legal Assistant



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

FILED

MAR 30 2017

**ATTORNEY GENERAL OPINION
2017-201A**

**OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION**

Billy Stout, M.D., Board Secretary
State Board of Medical Licensure and Supervision
101 N.E. 51st Street
Oklahoma City, OK 73105-1821

March 27, 2017

Dear Secretary Stout:

This office has received your request for a written Attorney General Opinion regarding agency action that the State Board of Medical Licensure and Supervision intends to take with respect to Medical Doctor Licensee 12712. The proposed action is to deny the applicant's request to reinstate the license based on lack of evidence that the applicant is competent to practice or is of good moral character. The applicant's license was issued on July 1, 1980 and has been inactive since July 1, 2014. In July 2013, the applicant's license was suspended for six months and applicant received five years' probation for unprofessional conduct related to controlled drug violations and substance abuse. The applicant failed to renew his Oklahoma medical license after it became inactive on July 1, 2014. On September 1, 2016, the applicant applied for reinstatement of his license.

The Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act, 59 O.S.2011 & Supp.2016, §§ 480-518.1, authorizes the Board to suspend a physician's licensees for engaging in unprofessional conduct, 59 O.S.Supp.2016, § 503. A physician whose license has been suspended may file an application to reinstate the license and the Board may grant or deny such application in its discretion. 59 O.S.2011, § 506(A). "No person shall be licensed to practice medicine and surgery in this state except upon a finding by the Board that such person . . . is of good moral character, and has produced satisfactory evidence to the Board of the ability to practice medicine and surgery with reasonable skill and safety." 59 O.S.2011, § 492.1(B). Here, the Board reasonably concluded that the applicant failed to meet these statutory requirements. Accordingly, the Board may reasonably believe that the application to reinstate the license should be denied.

It is, therefore, the official opinion of the Attorney General that the State Board of Medical Licensure and Supervision has adequate support for the conclusion that this action advances the State of Oklahoma's policy ensuring that only qualified individuals hold licenses to practice medicine and surgery in this state.



MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA



SHELLY PERKINS
ASSISTANT ATTORNEY GENERAL