

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

STATE OF OKLAHOMA

FILED

OCT 19 1988

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA, ex rel,
OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE AND
SUPERVISION,

Plaintiff,

v.

BRENT L. WAUTERS, M.D.
Medical License No. 12751,

CASE NO. 87-8-519

Defendant.

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision en banc on the 15th day of September, 1988, at the office of the Oklahoma State Medical Association, 601 NW Expressway, 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 Daniel Holloway, Attorney of Holloway, Dobson, Hudson & Bachman, appeared for the Defendant, and Defendant appeared in person.

The Board of Medical Licensure and Supervision en banc having reviewed statements of counsel and being fully advised in the premises, the Board of Medical Licensure and Supervision therefore finds as follows:

FINDINGS OF FACT

1. That Defendant, Brent L. Wauters, M.D., holds Oklahoma Medical License No. 12751.
2. That the 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. Defendant was lawfully served with a Complaint and Citation that alleged certain violations of the Oklahoma Medical Practice Act, 59 O.S. 1981, Sec. 509.
4. That for the purposes of effectuating a compromised settlement of the aforesaid claims, Defendant chose to consent to the jurisdiction of the State Board of Medical Licensure and Supervision insofar as it entails the activities and restrictions set forth below.
5. Neither the execution of any document herein nor the submittal to the Board jurisdiction is to be construed as an admission by the Defendant of the allegations of the Complaint; Defendant denies all material allegations therein.

CONCLUSIONS OF LAW

1. The Board has lawful jurisdiction over this Defendant pursuant to the Oklahoma Medical Practice Act, 59 O.S. Supp. 1987, Sec. 41 et seq.

ORDER

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

1. That the Defendant, Brent L. Wauters, M.D., holding Oklahoma Medical License No. 12751, will be and is hereby placed on probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of three (3) years beginning on September 15, 1988, unless earlier modified by the Board, under the following terms and conditions:

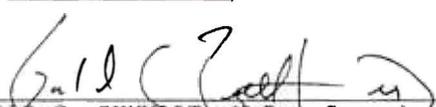
- Defendant, with the aid and assistance of counsel, shall establish a mechanism with the administration of any hospital where he performs medical services to authorize and allow that hospital to immediately forward copies of any written complaints received concerning actions of the Defendant to an appropriate agent of the Oklahoma State Board of Medical Licensure and Supervision, and shall inform the Investigation Division of the identity and position of the appropriate hospital officer who will forward those materials.
- (b) In personal relationships with patients, and patients' families, Defendant shall immediately cease and desist from any unprofessional acts or omissions and shall maintain professional relationships with patients, patients' families, and colleagues of the highest character.
 - (c) Defendant shall immediately undergo counseling on stress management and any related areas as found necessary by a Board certified physician acceptable to the Board, and the Defendant shall authorize the treating physician to forward copies of any reports and conclusions to the Investigation Division of the Oklahoma State Board of Medical Licensure and Supervision, and to answer questions of the staff concerning the Defendant when requested.
 - (d) During the period of probation Defendant will furnish to the office of the Oklahoma State Board of Medical Licensure and Supervision all current legal addresses and any change of address in writing.
 - (e) Defendant shall appear before the Board en banc or a designated member thereof whenever requested to do so.
 - (f) During the period of probation Defendant will submit to the Investigation Division of the Oklahoma State Board of Medical Licensure and Supervision any required reports and forms on a timely and prompt basis describing his current professional activities.
 - (g) Pursuant to Section 26, H.B. 1478, 1987 Legislature, Defendant shall promptly pay upon receipt of invoice from the Investigative Division of the Board the costs of investigation, prosecution and probation of this case.

(h) That violation of any the terms and conditions of probation shall be grounds for additional charges to be presented to the Board after notice to the Defendant.

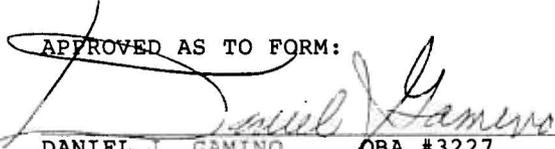
2. That the jurisdiction of the Board in this individual proceeding will continue in this matter until the terms and conditions of probation are modified or lifted by the Oklahoma State Board of Medical Licensure and Supervision on their own motion or on the motion of the Defendant.

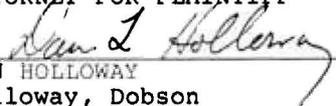
3. The Defendant further agrees that failure to meet any of the above terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke Defendant's Oklahoma Medical License, after additional due notice and hearing.

DATED this 13th day of October, 1988.


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

APPROVED AS TO FORM:


DANIEL J. GAMINO OBA #3227
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ATTORNEY FOR PLAINTIFF


DAN HOLLOWAY
Holloway, Dobson
Suite 900, One Leadership Square
211 N. Robinson
Oklahoma City, OK 73102
ATTORNEY FOR DEFENDANT

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this 5 day of OCTOBER, 1988, to:

DAN HOLLOWAY
Holloway, Dobson, Hudson & Bachman
Suite 900, One Leadership Square
211 N. Robinson
Oklahoma City, OK 73102

