

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

**FILED**

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

NOV - 8 2001

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Plaintiff, )

v. )

Case No. 99-05-2080

ALVIN P. CORMACK, M.D., )  
LICENSE NO. 13672 )

Defendant. )

**FINAL ORDER OF SUSPENSION**

This cause came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the "Board") on November 8, 2001, at the office of the Board, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Elizabeth A. Scott, Assistant Attorney General, appeared for the plaintiff and defendant appeared not.

The Board *en banc* after hearing arguments of counsel, reviewing the exhibits admitted and the pleadings filed, and being fully advised in the premises, found that there is clear and convincing evidence to support the following Findings of Fact, Conclusions of Law and Orders:

***Findings of Fact***

1. The Board 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 pursuant to 59 Okla. Stat. §480 *et seq.*

2. The Board has jurisdiction over this matter, and notice has been given in all respects in accordance with law and the rules of the Board.

3. Defendant, Alvin P. Cormack, M.D., holds Oklahoma medical license no. 13672.

4. On or about September 23, 1998, Defendant entered into an agreement with the Idaho State Board of Medicine to surrender his license pending the outcome of an investigation of alleged sexual abuse and exploitation of patients.

5. On or about January 6, 1999, Defendant entered into a consent decree with the Wyoming Board of Medicine whereby he agreed not to practice medicine in Wyoming pending the resolution of the disciplinary charges in Idaho.

6. On or about January 22, 1999, Defendant entered into an agreement with the State of Alaska Medical Board to suspend his license based upon a pending investigation in Alaska regarding his suitability to continue to practice medicine in Alaska.

7. On or about October 29, 1999, in the case styled The State of Idaho v. Alvin P. Cormack, Case No. CR-98-02940, in the District Court of the Second Judicial District of the State of Idaho, in and for the County of Nez Perce, the Defendant was convicted on one (1) count of Sexual Exploitation by a Medical Care Provider.

8. On or about August 12, 2000, the Washington State Medical Quality Assurance Commission suspended Defendant's license for a period of five (5) years based upon a finding that Defendant sexually abused female patients on several occasions.

9. On or about March 20, 2001, Defendant was excluded for fifteen (15) years from Medicare, Medicaid and all other federal health care programs by the Department of Health and Human Services-Office of the Inspector General based upon the fact that Defendant had been convicted of a crime related to patient abuse or neglect.

10. Defendant is guilty of unprofessional conduct in that he:

- A. Was subject to disciplinary action of another state or jurisdiction based upon acts or conduct by the licensee similar to acts or conduct that would constitute grounds for action as defined in this section pursuant to OAC 435:10-7-4(31).
- B. Was convicted of a felony or of any offense involving moral turpitude in violation of 59 O.S. §509(6) and OAC 435:10-7-4(10).
- C. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud, or harm the public in violation of 59 O.S. §509(9) and OAC 435:10-7-4(11).
- D. Committed any act which is a violation of the criminal laws of any state when such act is connected with the physician's practice of medicine in violation of 59 O.S. §509(10). A

complaint, indictment or confession of a criminal violation shall not be necessary for the enforcement of this provision. Proof of the commission of the act while in the practice of medicine or under the guise of the practice of medicine shall be unprofessional conduct.

- E. Engaged in physical conduct with a patient which is sexual in nature, or in verbal behavior which is seductive or sexually demeaning to the patient in violation of 59 O.S. §509(18).
- F. Committed any act of sexual abuse, misconduct, or exploitation related or unrelated to the licensee's practice of medicine and surgery in violation of 435:10-7-4(23).
- G. Abused the physician's position of trust by coercion, manipulation or fraudulent representation in the doctor-patient relationship in violation of OAC 435:10-7-4(44).

### *Conclusions of Law*

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act (the "Act") and its applicable regulations. The Board is authorized to enforce the Act as necessary to protect the public health, safety and welfare.

2. Defendant is guilty of unprofessional conduct in that he:
- A. Was subject to disciplinary action of another state or jurisdiction based upon acts or conduct by the licensee similar to acts or conduct that would constitute grounds for action as defined in this section pursuant to OAC 435:10-7-4(31).
  - B. Was convicted of a felony or of any offense involving moral turpitude in violation of 59 O.S. §509(6) and OAC 435:10-7-4(10).
  - C. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud, or harm the public in violation of 59 O.S. §509(9) and OAC 435:10-7-4(11).
  - D. Committed any act which is a violation of the criminal laws of any state when such act is connected with the physician's practice of medicine in violation of 59 O.S. §509(10). A

complaint, indictment or confession of a criminal violation shall not be necessary for the enforcement of this provision. Proof of the commission of the act while in the practice of medicine or under the guise of the practice of medicine shall be unprofessional conduct.


- E. Engaged in physical conduct with a patient which is sexual in nature, or in verbal behavior which is seductive or sexually demeaning to the patient in violation of 59 O.S. §509(18).
- F. Committed any act of sexual abuse, misconduct, or exploitation related or unrelated to the licensee's practice of medicine and surgery in violation of 435:10-7-4(23).
- G. Abused the physician's position of trust by coercion, manipulation or fraudulent representation in the doctor-patient relationship in violation of OAC 435:10-7-4(44).

*Order*

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

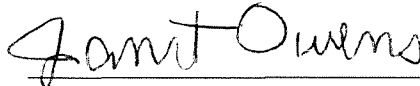
1. The license of Defendant, Alvin P. Cormack, M.D., Oklahoma license no. 13672, is hereby **SUSPENDED** beginning November 8, 2001 and continuing until Defendant regains his license in the State of Idaho, at which time Defendant may appear before the Board to seek reinstatement of his license.
2. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and investigation costs.
3. Defendant's suspended license shall not be reinstated unless Defendant has reimbursed the Board for all taxed costs.
4. This Order of Suspension shall be effective November 8, 2001.

Dated this 8 day of November, 2001.

  
John Alexander, M.D., President  
Oklahoma State Board of Medical  
Licensure and Supervision

## CERTIFICATE OF SERVICE

I certify that on the 14 day of November, 2001, I mailed, via first class mail, postage prepaid, a true and correct copy of this Order of Suspension to Alvin P. Cormack, M.D., 1246 Maple, Clarkston, WA 99403.

A handwritten signature in cursive script that reads "Janet Owens". The signature is written in black ink and is positioned above a horizontal line.

Janet Owens