

IN AND BEFORE THE STATE BOARD OF MEDICAL EXAMINERS

STATE OF OKLAHOMA

**FILED**

MAY 9 1987

STATE OF OKLAHOMA, ex rel,  
STATE BOARD OF MEDICAL  
EXAMINERS,

Plaintiff,

v.

STATE BOARD OF  
MEDICAL EXAMINERS

LEONARDO ALLENDE, M.D.,  
Medical License No. 14216,

Defendant.

)  
)  
) CASE NO. 87-1-467  
)

FINAL ORDER

This cause comes on for hearing before the Oklahoma Board of Medical Examiners en banc on May 1, 1987, at 5104 N. Francis, Suite C, 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 the Defendant did not appear in person, but had previously executed a Final Order and appeared through that announcement.

The Board of Medical Examiners en banc heard the testimony and reviewed exhibits and being fully advised in the premises, the Board of Medical Examiners therefore finds as follows:

FINDINGS OF FACT

1. That Leonardo Allende, M.D., holds Oklahoma Medical License No. 14216.

2. That the Board of Medical Examiners en banc has jurisdiction over the subject matter herein and that notice has been given in all respects as required by the law and the rules of the Board.

3. That on or around May 23, 1984, the Department of Professional Regulation, Board of Medical Examiners of the State of Florida, did issue an Administrative Complaint in Case No. 0045814 against the Defendant. The Administrative Complaint alleges in part as follows:

"3. On or about May 19, 1983, Respondent plead nolo contendere to a charge of bribery in the Superior Court of Fulton County, Georgia, to wit: Respondent did unlawfully give to Andrew Watry, Executive Director of the Georgia Composite State Board of Medical Examiners, \$3,500.00 to alter test scores of the FLEX exam administered by the State of Georgia to Respondent's wife.

4. Respondent was sentenced to three years probation and ordered to pay a \$1,000.00 fine on the aforesaid charge."

The entire Administrative Complaint is incorporated by reference attached hereto, and marked as Exhibit A.

4. That on or around May 9, 1986, the Defendant, with the advice and consent of legal counsel, did enter into an Amended Stipulation with the Department of Professional Regulation of the State of Florida. The Amended Stipulation is incorporated herein by reference as if fully set out and is attached hereto and marked as Exhibit B.

5. That on or around September 5, 1986, the Board of Medical Examiners of Florida did issue a Final Order which provided as follows:

"1. Respondent's license shall be suspended for a period of four (4) months.

2. Respondent's license shall be placed on probation for three (3) years."

The entire Final Order of the Board of Medical Examiners is incorporated herein by reference as if fully set out, attached hereto and marked as Exhibit C.

#### CONCLUSIONS OF LAW

1. That Leonardo Allende, M.D., holding Oklahoma Medical License No. 14216, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, §509, Paragraphs 6, 9, and 10, to-wit:

"Conviction of a felony or of any offense involving moral turpitude."

"Dishonorable or immoral conduct which is likely to deceive or defraud the public."

"The commission of any act which is a violation of the criminal laws of Oklahoma when such act is connected with the physician's practice of medicine. A complaint, indictment or confession of 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."

#### ORDER

IT IS THEREFORE ORDERED by the Board of Medical Examiners of Oklahoma as follows:

1. That the Defendant, Leonardo Allende, M.D., License No. 14216, be and is hereby placed on probation to the Oklahoma State Board of Medical Examiners for a period of three (3) years, beginning on May 1, 1987, under the following terms and conditions:

(a) During the period of probation Dr. Allende will furnish to the office of the State Board of Medical Examiners all current legal addresses and any change of address in writing.

(b) During the period of probation Defendant will submit any required reports on a timely basis needed by the Investigation Division of the Oklahoma Board of Medical Examiners.

(c) That Defendant shall appear before this Board or designated member thereof whenever requested to do so.

2. The Oklahoma Board of Medical Examiners specifically retains continuing jurisdiction over this matter and in the event the Defendant desires to return to practice medicine and surgery

within the State of Oklahoma, the Defendant must meet with the Board and disclose his plans at that time and the Oklahoma Board of Medical Examiners may impose additional terms and conditions.

DATED this 19 day of May, 1987

James R. Rhymer  
JAMES R. RHYMER, M.D., President  
State Board of Medical Examiners

APPROVED AS TO FORM:

Daniel J. Gamino  
DANIEL J. GAMINO  
Daniel J. Gamino & Associates, P.C.  
3315 NW 63  
Oklahoma City, OK 73116  
(405) 840-3741  
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF MAILING

I hereby certify that on the 20 day of May, 1987, I deposited in the U.S. Mails, postage prepaid thereon, a true and correct copy of the above and foregoing Final Order addressed to:

Leonardo Allende, M.D.

2303 N.W. 3rd

Miami, OR 33125-5211

Janet Owens