

THE OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE AND SUPERVISION

FILED

STATE OF OKLAHOMA

MAR 14 1997

STATE OF OKLAHOMA, ex rel,  
OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION )

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Plaintiff, )

vs. )

Case No. 95-06-1718

~~MICHAEL J. BABB, M.D.~~  
MEDICAL LICENSE NO. 14271 )

Defendant. )

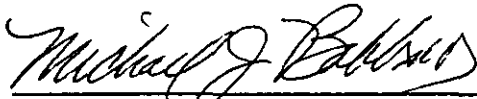
VOLUNTARY SUBMITTAL TO JURISDICTION

COMES now MICHAEL J. BABB, M.D., hereinafter referred to as Physician, the undersigned, and states that on this 14<sup>th</sup> day of March, 1997, he is of sound mind and not under the influence of any medical or drug or impaired therefrom, and said Physician does further recognize his right to legal counsel and has reviewed this document with counsel, Bill Ahrberg, Cushing, Oklahoma, and being advised of his right to appear before the Oklahoma State Board of Medical Licensure and Supervision en banc for evidentiary hearing concerning his pending Complaint, does of his own volition and decision waive and forego his right to appear before the Board for full hearing, and does hereby voluntarily and of his own volition consent to the jurisdiction of the Oklahoma state Board of Medical Licensure and Supervision insofar as it entails the activities and agreements described in the following numbered paragraphs. Neither the execution of this document nor the submittal to the Board's continuing jurisdiction is to be construed as an admission by the Physician of any allegations made against him by licensing authorities in this or any other State, all material allegations of which are expressly denied.

- A. That the Physician accepts and agrees to a formal reprimand from the Oklahoma State Board of Medical Licensure and Supervision and will conduct his practice in the future in the following manner for a period of three (3) years, unless modified by this Board:
- B. Physician will fulfill the terms and conditions of all conclusions and recommendations made by Richard R. Irons, M.D., Associate Director, Alcohol and Drug Abuse Recovery Program, Menninger Clinic, Topeka, Kansas, as set forth in the letter dated November 12, 1996, to-wit:

1. Doctor Babb will practice with oversight of his medical practice.
  2. Doctor Babb will use a female chaperon within his medical physical interactions with female patients.
  3. Doctor Babb will have review and monitoring of his practice by a peer physician to assure he is in compliance with 1 and 2 above.
  4. Doctor Babb will identify and utilize a professional mentor who can provide him with counsel and support during the monitoring by his peer physician.
  5. Doctor Babb will enter and continue into individual psychotherapy focusing on the ethics within the medical profession and the disparity of power and position in the physician patient relationship.
  6. Doctor Babb will engage in continuing medical education involving the following areas: appropriate professional boundaries, medical ethics, signs and symptoms of domestic violence and sexual abuse.
  7. Any professional mentor or therapist shall be approved by the Secretary of the Board of Medical Licensure and Supervision.
- C. Physician will allow his staff to speak with properly identified compliance coordinators or other agents representing the Oklahoma State Board of Medical Licensure and Supervision in order to help monitor the Defendant's professional activities.
- D. Physician shall require the aforesaid therapist to provide regular written reports to the Secretary of the Board of Medical Licensure and Supervision no less than quarterly, each report to contain sufficient information that the Secretary can determine the progress of the Physician, can ascertain the concerns of the therapist and discern the current status of the ability of the Physician to practice medicine and surgery with reasonable skill and safety to the public.
- E. The Physician shall notify any hospital or clinic or other worksite or upon application for employment or privileges at any of the aforementioned places, of the content of this Agreement.
- F. The Physician shall authorize hospital or clinic or other worksite employees to meet with properly identified compliance coordinators or other agents representing the Oklahoma State Board of Medical Licensure and Supervision in order to monitor the professional activities of the Defendant.

- G. Physician will furnish to the Office of the Secretary of the Oklahoma State Board of Medical Licensure and Supervision all current legal addresses and any change of address in writing.
- H. Physician shall appear before the Board or a designated member thereof or the Secretary of the Board whenever requested to do so.
- I. Physician will submit to the Office of the Secretary of the Board of Medical Licensure and Supervision any required reports and forms on a timely and prompt basis.
- J. The Physician will conduct his practice in compliance with the Oklahoma Medical Practice Act as interpreted by the Oklahoma State Board of Medical Licensure and Supervision. Any question of interpretation regarding said Act shall be submitted in writing to the Board and no action based on the subject of the question will be taken by the Physician until clarification of the interpretation is received by Physician from the Board.
- K. Physician will utilize duplicate serial number prescription pads for all prescriptions issued for controlled substances.
- L. Pursuant to Title 59 O.S. §506, Physician shall promptly pay within thirty (30) days of receipt of invoice from the Board, the costs associated with monitoring this case, unless Physician affirmatively obtains a deferment issued by the Secretary of the Board of all or part of said fees upon presentation of evidence that is acceptable to the Secretary of the Board.
- M. Violation of this Agreement shall be grounds for additional charges to be presented to the Board for possible further disciplinary action.



MICHAEL J. BABB, M.D.

DATED THIS 14 DAY OF March, 1997.

ACCEPTED FOR THE BOARD:



GERALD C. ZUMWALT, M.D.  
SECRETARY/MEDICAL DIRECTOR.

DATED THIS 14 DAY OF March, 1997.

CERTIFICATE OF MAILING

This is to certify that on this 19 day of May, 1997, a true and correct copy of this order was mailed, postage prepaid to:

Michael J. Babb, M.D.  
1030 E. Cherry St  
Cushing, OK 74023

Michael P. Atkinson  
1500 ParkCentre  
525 South Main  
Tulsa, OK 74103