

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.)
)
LYNN DEAN BAGGETT, M.D.) CASE NO. 89-04-861
Medical License No. 14448,)
)
Defendant.)

ORDER REINSTATING LICENSURE
UNDER TERMS OF PROBATION

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on January 12, 1991, at the office of the Oklahoma Board of Medical Licensure and Supervision, 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 Lynn Dean Baggett, M.D., Defendant, appeared in person, pro se, waived his right to legal counsel and agreed to proceed without counsel.

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

FINDINGS OF FACT

1. That Defendant is applying for reinstatement of his licensure in Oklahoma as a physician and surgeon.
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. That following notice and hearing on September 1, 1990, Defendant's Oklahoma Medical License No. 14448 was suspended until the Defendant presented evidence of successful completion of in-patient treatment to the Board at which time Defendant could appear before the Board and seek reinstatement of his Oklahoma license under terms and conditions of probation to be set by the Board at that time.
4. Subsequently, Defendant presented evidence of successful completion of in-patient treatment at Serenity Park, Little Rock, Arkansas, and Defendant was recommended for reinstatement of licensure by J. Darrel Smith, M.D., Chairman, Oklahoma State Medical Association Physician Recovery Committee.
5. That the Defendant's license should be reinstated and Defendant placed on a probation of five (5) years under terms and conditions as set forth hereunder.

CONCLUSIONS OF LAW

1. That when all evidence is considered the Defendant did fulfill requirements of the previously entered Final Order on Complaint of Contempt and that Defendant's license as a physician and surgeon in the State of Oklahoma may be reinstated under such terms and conditions of probation as to protect public health, safety and welfare.

ORDER

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

1. That the application of Lynn Dean Baggett, M.D., for reinstatement of licensure as a physician and surgeon in Oklahoma should be and the same is hereby GRANTED.

2. That the Defendant shall begin a formal term of probation to the Oklahoma State Board of Medical Licensure and Supervision and fulfill all requirements as set forth below.

3. That the Defendant does accept and agree to and does hereby begin a term of probation to the Oklahoma State Board of Medical Licensure and Supervision to begin for a period of five (5) years beginning on January 12, 1991, unless earlier modified by the Board, on its own motion or on the motion of the Defendant, under the following terms and conditions:


- (a) During the period of probation Defendant will not prescribe, administer or dispense any controlled dangerous substances.
- (b) During the period of probation Defendant will not prescribe, administer or dispense any medication for his personal use.
- (c) During the period of probation Defendant is required to attend a minimum of three (3) AA meetings and one (1) professional meeting per week with documentation of attendance provided to the Board on a monthly basis.
- (d) During the period of probation Defendant will abstain from consuming alcohol or any substance, licit or illicit, specifically including but not limited to, controlled dangerous substances, which would adversely affect his ability to practice medicine or surgery as interpreted by the Oklahoma State Board of Medical Licensure and Supervision.
- (e) During the period of probation Defendant will take no medication except that which is authorized by a physician treating him for a legitimate medical need and Defendant shall have an affirmative duty to inform any physician treating him of Defendant's previous use of alcohol and controlled dangerous substances.
- (f) During the period of probation Defendant will submit biological fluid specimens to include, but not limited to, blood and urine, for analysis, upon request of any investigator or other agent representing the Oklahoma State Board of Medical Licensure and Supervision, and Defendant will pay for testing and analysis of those specimens.

- (g) 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.
- (h) That Defendant shall appear before the Board or a designated member thereof whenever requested to do so.
- (i) 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.
- (j) Pursuant to Section 26, H.B. 1478, 1987 Legislature, Defendant shall pay previous balance due the Board on or before March 1, 1991, or meet with the Board Secretary to set up payment schedule satisfactory to the Secretary.
- (k) During the period of probation Defendant shall notify any hospital where he holds staff privileges, or clinic, or group where he practices, of the terms and conditions of this Order and supply a copy thereof.
- (l) That violation of any of the terms and conditions of probation shall be grounds for additional charges to be presented to the Board after notice to the Defendant.

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

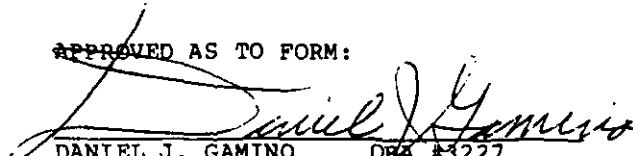
5. The Defendant further agrees that failure to meet any of the above terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke Defendant's Oklahoma Medical License, after additional due notice and hearing.

DATED this 17 day of January, 1991.



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

APPROVED AS TO FORM:



 DANIEL J. GAMINO OBA #3227
 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 a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this 18 day of January, 1991, to:

LYNN DEAN BAGGETT, M.D.

Rt 2 Box 109

Hugo OK 74743

Janet L Owens