

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

STATE OF OKLAHOMA

FILED

STATE OF OKLAHOMA, ex rel,)
OKLAHOMA STATE BOARD OF)
MEDICAL LICENSURE AND)
SUPERVISION,)
)
Plaintiff,)
)
v.)
)
LYNN D. BAGGETT, M.D.)
Medical License No. 14448,)
)
Defendant.)

FEB 17 1994

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

CASE NO. 93-12-1570

ORDER TO CONTINUE HEARING
AND TO SUSPEND MEDICAL LICENSE

This cause came on for consideration before the Oklahoma Board of Medical Licensure and Supervision on February 11, 1994 at the office of the Oklahoma State 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 D. Baggett, M.D., Defendant, appeared by and through legal counsel, Don Ed Payne, Attorney at Law, 902 East Jackson St., P.O. Box 785, Hugo, OK 74743, who appeared by and through his Motion for Extension of Time to Comply with Scheduling Order.

That the Oklahoma Board of Medical Licensure and Supervision en banc reviewed the Defendant's request for continuance and all attached exhibits and being fully advised in the premises, the Oklahoma Board finds and orders as follows:

FINDINGS OF FACT

1. That Defendant, Lynn D. Baggett, M.D., holds Oklahoma Medical License No. 14448.
2. That the Oklahoma 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 the Defendant presented sufficient facts, evidence and law to support his Motion for Extension and that in the interest of justice said hearing should be continued.
4. That the allegations of the Complaint and the previous disciplinary action against this Defendant by the Oklahoma Board of Medical Licensure and Supervision which is a public record and includes placing Defendant on probation for a period of five years beginning on January 12, 1991, under certain enumerated terms and conditions, constitute grounds that until this matter is heard by the Board en banc the Defendant's Oklahoma license to practice medicine and surgery should be suspended in order to protect public health, safety and welfare.
5. That the suspension shall be effective upon notice to Defendant's counsel of record, Don Ed Payne.

CONCLUSIONS OF LAW

1. That the Defendant fulfilled his burden of proof and did demonstrate to the Oklahoma Board of Medical Licensure and Supervision that continuance of this hearing was appropriate, and that continuance of hearing may be granted within the discretion of the Board.

2. That under the legal authority of the Oklahoma Medical Practice Act, 59 O.S. 1991, Sec. 481 et seq., and the present terms and conditions of probation now applicable to the Defendant for a period of five years beginning on January 12, 1991, in Board Case No. 89-04-861, constitute grounds that Defendant's Oklahoma medical license should be suspended until such time as the Board en banc hears this matter on the merits.

ORDER

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

1. That the application of the Defendant, Lynn D. Baggett, M.D., Oklahoma Medical License No. 14448, for continuance of hearing scheduled for February 11, 1994, should be and the same is hereby GRANTED.

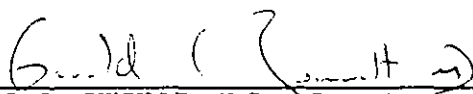
2. That Oklahoma Medical License No. 14448 of Lynn D. Baggett, M.D., should be and is hereby SUSPENDED until such time as the merits of this case are heard by the Oklahoma Board of Medical Licensure and Supervision en banc.

3. That the aforesaid suspension is effective upon formal notice thereof to Defendant's attorney of record, Don Ed Payne.

4. That hearing on this matter will be rescheduled to the next meeting of the Board presently scheduled for March 18 and 19, 1994, and the Defendant shall be apprised of the exact time for hearing on that date by the Board staff.

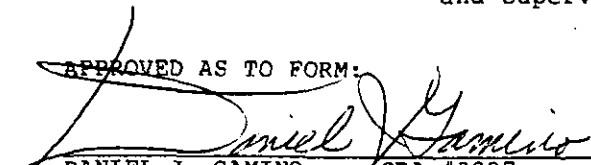
5. That a copy of this written Order should be sent to the Defendant and/or his legal counsel as soon as possible so their record is complete.

DATED this 17 day of Feb, 1994.



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 13 day of Feb, 1994, to:

LYNN D. BAGGETT, M.D.
c/o DON ED PAYNE
Attorney at Law
P.O. Box 785
Hugo, OK 74743

Janet Owens