

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

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel.)
STATE BOARD OF)
MEDICAL LICENSURE AND)
SUPERVISION)

Plaintiff)

vs.)

LYNN DEAN BAGGETT, M.D.)
MEDICAL LICENSE NUMBER 144487)

Applicant.)

FILED

MAR 28 1996

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

FINAL ORDER ISSUING SPECIAL LICENSE WITH
TERMS OF PROBATION

ON THE 22nd day of March, 1996 this cause comes on before the OKLAHOMA STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION, upon the request of the Applicant, LYNN DEAN BAGGETT, pursuant to notice given as required by law and enumerated at 75 O.S. 1995 Supp. §309 and 59 O.S. 1995 Supp. §508.2.

Lynn Dean Baggett appeared in person and was represented by Ray L. Jones, Attorney at Law.

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 finds and orders as follows:

FINDINGS OF FACT

1. That the Applicant is applying for reinstatement of his licensure in Oklahoma as a physician and surgeon.
2. That the Board of Medical Licensure and Supervision 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 That following notice and hearing on May 14, 1994, Applicant's Oklahoma Medical License Number 14448 was revoked.

4. Subsequently, Applicant submitted an application for reinstatement of licensure, in accordance with the legal requirements for applying for reinstatement of a revoked license as set forth in 59 O.S. 1994 Supp. §508.2.

5. That the Applicant's license should be reinstated as a Special License and Applicant should be placed on indefinite probation to the Board under the terms and conditions set forth hereunder and practice parameters should limit the practice by the Applicant to the Oklahoma Department of Corrections Maximum Security Facility at McAlester, Oklahoma.

CONCLUSIONS OF LAW

1. The Oklahoma Board of Medical Licensure and Supervision has authority under 59 O.S. 1994 Supp. §508.2 of the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act, to hear an application for reinstatement of licensure at any time after the expiration of twelve (12) months from the date the license of any person to practice medicine and surgery has been revoked.

2. The Oklahoma Board of Medical Licensure and Supervision may issue a Special License pursuant to its authority in 59 O.S. 1995 Supp. §493.3 and rules of the Board and may impose practice parameters.

3. The Oklahoma Board of Medical Licensure and Supervision, pursuant to 59 O.S. 1995 Supp. §506, may place any person, whose license has been revoked or suspended on probation for an indefinite period of time on a second offense.

ORDER

THEREFORE, IT IS ORDERED by the Oklahoma Board of Medical Licensure and Supervision that the Oklahoma Medical License of Lynn Dean Baggett, M.D., Number 14448, shall be reinstated as a Special License under the following terms and conditions, to-wit:

1. That Doctor Baggett shall begin a term of probation to last indefinitely on March 22, 1996 and shall fulfill all requirements set forth below.

2. That Doctor Baggett does accept and agree to the probation under the following terms and conditions:

(a) During the period of probation, Doctor Baggett will not prescribe, administer or dispense any controlled dangerous substance.

(b) During the period of probation, Doctor Baggett will not prescribe, administer or dispense any medication for his personal use.

(c) During the period of probation, Doctor Baggett will attend recovery group meetings and provide documentation of attendance to the Board monthly on forms required by the Board.

(d) During the period of probation, Doctor Baggett 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 Doctor Baggett will take no medication except that which is authorized by a physician treating him for a legitimate medical need *and Doctor Baggett shall have an affirmative duty to inform any physician treating him of his previous use of alcohol and controlled dangerous substances.*

(f) During the period of probation Doctor Baggett shall 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 will pay for testing and analysis of those specimens.

(g) During the period of probation Doctor Baggett shall 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) During the period of probation Doctor Baggett shall appear before the Board or a designee whenever requested to do so.

(i) During the period of probation Doctor Baggett shall promptly submit to the Board of Medical Licensure and Supervision any required reports and forms.

(j) During the period of probation Doctor Baggett shall pay any balance due the Board, continue to pay balances due monthly thereafter, or meet with the Secretary of the Board, Gerald C. Zumwalt, M.D., to arrange a payment schedule acceptable to the Board.

(k) During the period of probation, Doctor Baggett shall notify any hospital, clinic, or practice work site where he holds staff privileges or applies for staff privileges of the terms and conditions of this Order and shall provide a copy thereof.

(l) Doctor Baggett shall confine his practice to the Oklahoma Department of Corrections Maximum Security Facility at McAlester, Oklahoma.

3. 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 Doctor Baggett.

4. Failure to meet any of the terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke this Special License, after additional due notice and hearing.

DATED THIS 28 day of March, 1996.

Gerald Zumwalt

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

APPROVED AS TO FORM:

DANIEL J. GAMINO, ATTORNEY FOR THE STATE:

Daniel J. Gamino

RAY L. JONES, ATTORNEY FOR THE APPLICANT:

Robert H. Mitchell

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this 16 day of APRIL, 1996, to:

LYNN BAGGETT, M.D.
BOX 521
RYAN, OK 73565

ROBERT MITCHELL
ATTORNEY AT LAW
2424 NW 39TH
OKLAHOMA CITY, OK 73112