

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

FILED

FEB 05 1999

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

IN THE MATTER OF THE)
APPLICATION OF)
)
LYNN DEAN BAGGETT)
)
)
TO MODIFY PROBATION TERMS OF)
MEDICAL LICENSE NO. 14448)
)

**FINAL ORDER MODIFYING SPECIAL LICENSE
AND TERMS OF PROBATION**

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision on January 21, 1999, at the Board's office, 5104 North Francis, Suite C, Oklahoma City, Oklahoma 73118, pursuant to notice given as required by law and rules of the Board.

Lynn Dean Baggett, Applicant, appeared in person *pro se*, thereby waiving his right to legal counsel.

The Board *en banc* heard testimony, reviewed the exhibits presented, and being fully apprised of the premises, made the following Findings of Fact:

Findings of Fact

1. Applicant applied for modification of the terms of his special license and terms of probation imposed upon his Oklahoma medical license, number 14448.
2. The Board *en banc* has jurisdiction over the subject matter herein, and notice has been given in all respects as required by law and the rules of the Board.
3. Applicant has a conditional offer of employment from the Western State Psychiatric Center. Steve Norwood, M.S., Executive Director for Western State Psychiatric Center, submitted a letter to the Board dated January 19, 1999 outlining the practice parameters proposed for Applicant.
4. The practice parameters proposed by Applicant and WSPC afford a controlled environment of practice sufficient to protect the public health, safety and welfare.

CONCLUSIONS OF LAW

1. The Board may issue a special license pursuant to its authority in 59 Okla. Stat. §493.3 and the rules of the Board and may impose practice parameters and other restrictions as necessary to protect the health, safety and welfare of the public under 59 Okla. Stat. §480 *et seq.*
2. The Board has jurisdiction over this matter under 59 Okla. Stat. §480 *et seq.*

ORDER

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

1. Applicant's application to modify his special license and the corresponding terms of probation is **GRANTED**.
2. The practice limitation in Applicant's special license which limited Applicant's practice to the Oklahoma State Department of Corrections, Maximum Security Facility, McAlester, McAlester, Oklahoma, should be removed and substituted with the limitation that Applicant will practice only at the Western State Psychiatric Center ("WSPA") in accordance with the terms outlined in the January 19, 1999 letter from Steve Norwood, M.S., Executive Director of WSPC, which are restated below as follows:

Applicant will conduct physicals and sick call for WSPC substance abuse residential program and will conduct medication clinics and reviews for outpatient mental health satellites in Woodward, Guymon, Beaver, and Shattuck, Oklahoma. Applicant will not need a DEA number and will work under the direct supervision of Mark Rathgeber, M.D., a board certified psychiatrist and Clinical Director for WSPC. Additionally, Applicant will voluntarily submit to drug testing during his employment in addition to any random urine screens performed by the Board.

3. Paragraph 2(E), Terms of Probation, of Applicant's Final Order Reinstating Special License Under Terms of Probation filed October 2, 1998 is likewise modified as stated immediately above in paragraph 2 of this Order and shall now read as follows:

2(E). During the period of probation, Applicant will practice in a controlled environment approved by the Board or its designee, and Applicant's practice will be limited to the Western State Psychiatric Center ("WSPC") in accordance with the January 19, 1999 letter from Steve Norwood, M.S., Executive Director of WSPC, under the following practice parameters:

Applicant will conduct physicals and sick call for WSPC substance abuse residential program and will conduct medication clinics and reviews for outpatient mental health satellites in Woodward, Guymon, Beaver, and Shattuck, Oklahoma. Applicant will not need a DEA number and will work under the direct supervision of Mark Rathgeber, M.D., a board certified psychiatrist and Clinical Director for WSPC. Additionally, Applicant will voluntarily submit to drug testing during his employment in addition to any random urine screens performed by the Board.

4. Paragraph 2(M), Terms of Probation, of Applicant's Final Order Reinstating Special License Under Terms of Probation filed October 2, 1998 is modified as follows:

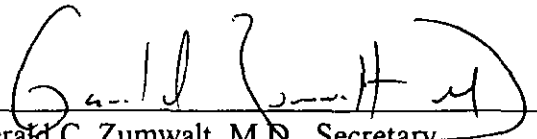
2(M). During the period of probation, Applicant will take no medication except that which is authorized by a physician treating him for a legitimate medical need. Applicant will obtain and utilize a personal family physician located in the immediate geographic vicinity of Woodward, Oklahoma who is approved in advance by the Board Secretary. Applicant has the affirmative duty to inform any and every doctor treating him of the Board Order immediately upon initiation of treatment.

5. Unless expressly modified above, all other terms and conditions of probation set forth in the Board's Final Order Reinstating Special License Under Terms of Probation filed October 2, 1998 are unaffected by this Order and remain unchanged.

6. Failure to meet any of the terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke Applicant's special license, after due notice and hearing. If Applicant's license is revoked or suspended in the future, Applicant will not thereafter re-apply for a medical license in the State of Oklahoma.

7. A copy of this written order shall be sent to Applicant as soon as it is processed.

Dated this 5 day of February, 1999.



Gerald C. Zumwalt, M.D., Secretary
Oklahoma State Board of Medical
Licensure and Supervision

Certificate of Service

On the 10 day of February, 1999, a true and correct copy of this order was mailed, postage prepaid, to the Applicant, Lynn Dean Baggett, 1215 N. West Street, McAlester, Oklahoma 74501.

Janet L Owens

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