

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

FILED

DEC 06 2002

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

IN THE MATTER OF THE)
APPLICATION OF)
)
LYNN DEAN BAGGETT, M.D.,)
)
)
FOR MODIFICATION TO TERMS OF)
PROBATION FOR LICENSE NO. 14448)
)

**ORDER MODIFYING
TERMS OF PROBATION**

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision on November 21, 2002, at the Board 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, M.D., 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, entered the following Findings of Fact, Conclusions of Law, and Orders:

Findings of Fact

- 1 Applicant currently holds Oklahoma medical license no. 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. On May 15, 1997, after due notice and hearing, the Board revoked Applicant's special medical license issued under terms of probation pursuant to Board order entered March 22, 1996. The revocation was for habitual intemperance or the habitual use of habit-forming drugs. The revocation in May 1997 was Applicant's second licensure revocation in the State of Oklahoma. His license in the State of Oklahoma had been suspended three (3) times previously.
4. More than twelve (12) months following revocation, Applicant submitted an application for reinstatement of his license in accordance with 59 O.S. 1997 Supp. §508.2 .

5. On or about September 24, 1998, Applicant's license was reinstated as a special license under terms of probation limiting his practice to the Oklahoma State Department of Corrections, Maximum Security Facility, McAlester, Oklahoma. Applicant's probation was subsequently modified thereby allowing him to practice at the Western State Psychiatric Center.

6. On or about September 28, 2000, Applicant's probation was modified to allow him to practice at the Carl Albert Hospital in McAlester, Oklahoma and to prescribe Schedule IV and V controlled dangerous drugs at his restricted location to be filled only by the pharmacy within that facility.

7. On or about September 19, 2002, the Applicant was issued a full medical license under the same terms of probation applicable to his special license with the exception that he was allowed to obtain the Board Secretary's approval for any change in practice location, and that he was allowed to prescribe Schedule IV and V controlled dangerous drugs at all locations approved by the Board Secretary.

8. The Applicant requests that his probation be modified to allow him to order or prescribe Schedule III controlled dangerous substances for inmate patients he treats according to the Oklahoma Department of Corrections guidelines and procedures.

9. The Applicant presented sufficient evidence to support his application for modification to terms of probation.

CONCLUSIONS OF LAW

The Board has jurisdiction to hear this matter pursuant to 59 O.S. §480 et seq.

2. Applicant has presented satisfactory evidence to justify the modification to his probation allowing him to order or prescribe Schedule III controlled dangerous substances for inmate patients he treats according to the Oklahoma Department of Corrections guidelines and procedures.

ORDER

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


1. Applicant's probation shall continue indefinitely from the date of its commencement of September 28, 1998 under the terms and conditions set forth in the September 28, 1998 Order, the September 28, 2000 Order Modifying Probation, and the September 19, 2002 Final Order Granting Full Medical License Under Terms of Probation, with the added modification that he be allowed to order or prescribe Schedule III controlled dangerous substances for inmate patients he treats according to the Oklahoma Department of Corrections guidelines and procedures.

2. During the period of probation, 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 license, after due notice and hearing.

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

4. This Order shall be effective November 21, 2002

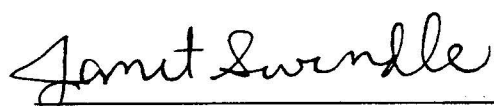
Dated this 6 day of December, 2002.



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

Certificate of Service

On the 6 day of December, 2002, a true and correct copy of this order was mailed, postage prepaid, to the Applicant, Lynn Baggett, M.D., 510 S. 15th Street, McAlester, OK 74501.



Janet Swindle