

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.

CHARLES WAYNE DICKERSON, M.D. CASE NO. 91-05-1176
Medical License No. 14590,

Defendant.

ORDER OF CONTINUANCE
AND INTERIM ORDER

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on February 29, 1992, 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 Ray G. Moss, Attorney for Defendant, Two Leadership Square, 211 N. Robinson, Suite 1200, Oklahoma City, Oklahoma 73102, appeared by announcement.

Before any testimony was taken, the Board of Medical Licensure and Supervision en banc heard an oral Motion to Continue Hearing under Interim Order jointly offered by counsel for Plaintiff and Defendant, and being fully advised in the premises, the Oklahoma Board of Medical Licensure and Supervision finds as follows:

FINDINGS OF FACT

1. That Defendant, Charles Wayne Dickerson, M.D., holds Oklahoma Medical License No. 14590.
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 Defendant's counsel filed Motion for Continuance on February 12, 1992, and appeared before Board legal counsel Mike Hoover.
4. That counsel for Defendant agreed in the event a continuance was granted to voluntarily keep duplicate, serially-numbered prescription pads for all prescriptions of controlled dangerous substances and shall make the copies available to investigators of the Oklahoma State Board of Medical Licensure and Supervision at their request, either in person or by mail, and further that the Defendant would immediately conduct an internal investigation of his office practice with respect to documenting medications prescribed for patients and refills of same and immediately institute any changes that were necessary.
5. That Defendant has filed a formal Answer and Defendant retains all factual and affirmative defenses and preserves any additional defenses or motions hereinafter pled.

6. That no previous continuances of the hearing have been granted and no further continuances are contemplated.

CONCLUSIONS OF LAW

1. That the Board has jurisdiction in its discretion and judgment over this matter pursuant to the Oklahoma Medical Practice Act, 59 O.S. Supp. 1990, Sec. 481 et seq., and that said continuance should be granted.

ORDER

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

1. That hearing on the instant case should be and the same is hereby postponed from its setting of February 29, 1992, to the next meeting of the Board which is presently scheduled for June 26-27, 1992.


2. It is further ordered that in the interim, prior to the hearing, Defendant shall use duplicate, serially-numbered prescription pads for all prescriptions of controlled dangerous substances and shall make the copies available to investigators of the Oklahoma State Board of Medical Licensure and Supervision at their request, either in person or by mail.

3. It is further ordered that Defendant is to conduct an internal investigation of his office practice with respect to documenting medications prescribed for patients and refills granted on prescriptions, and Defendant shall immediately make any changes warranted therein.

4. It is specifically noted that the Defendant retains all factual and affirmative defenses and preserves any additional defenses or motions hereinafter pled.

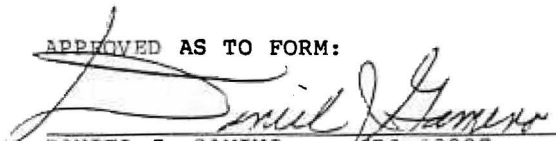
5. That the Secretary may designate a hearing officer to hear and narrow issues in this case. That Defendant does not have to physically submit his Oklahoma Medical License along with his Answer that is filed of record herein.

DATED this 5 day of March, 1992.



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 9 day of March, 1992, to:

Ray G. Moss
Moricoli, Harris, Cottingham & Hurst
Two Leadership Square, Suite 1200
211 N. Robinson
Oklahoma City, OK 73102

Jamet L Owens