

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.)
)
MICHAEL B. BEASON, M.D.) CASE NO. 89-04-844 A
Medical License No. 14702,)
)
Defendant.)

BOARD ORDER ACCEPTING
BOARD SECRETARY'S ORDER TO REINSTATE
DEFENDANT'S OKLAHOMA MEDICAL LICENSE

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on September 1, 1990, 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 Michael B. Beason, M.D., Defendant, did not appear in person or by counsel, but did appear by way of Board Secretary's Order to Reinstate Defendant's Oklahoma Medical License.

The Oklahoma Board of Medical Licensure and Supervision en banc heard testimony, reviewed exhibits, and being fully advised in the premises, the Board of Medical Licensure and Supervision finds as follows:

FINDINGS OF FACT

1. That Defendant, Michael B. Beason, M.D., holds Oklahoma Medical License No. 14702.
2. That the Oklahoma Board of Medical Licensure and Supervision en banc, and the Secretary to a limited extent, 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 on or around February 2, 1990, following notice and hearing, Michael B. Beason, M.D., did voluntarily offer to surrender his medical license to the Board Secretary and that offer was accepted by the Board.
4. That the Board ordered the Board Secretary to hold the Defendant's Oklahoma Medical License as a physician and surgeon until such time as Dr. Beason returns to Oklahoma and provides evidence of successful completion of in-patient treatment to the satisfaction of the Board's Secretary. The Board's Secretary is then authorized to reinstate Defendant's Oklahoma Medical License under terms and conditions of probation as set forth and enumerated by the Board's Secretary.
5. That Dr. Beason did provide to the Board's Secretary evidence of successful completion of in-patient treatment at the in-patient treatment facility located in Jackson, Mississippi.

6. That the evidence indicated that the Board's Secretary could reinstate Defendant's Oklahoma Medical License on terms and conditions of probation that would protect public health, safety and welfare.

CONCLUSIONS OF LAW

1. That evidence as found above fulfills terms of conditions of the Final Order on Complaint of Contempt of Final Order entered herein by the Board on February 2, 1990.

ORDER

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

1. That the Defendant's Oklahoma Medical License No. 14702 that was reinstated by the Board Secretary on or around July 5, 1990, should be and the same is hereby ratified and approved.

2. That the Defendant, Michael B. Beason, M.D., holding Oklahoma Medical License No. 14702, should be and is hereby placed on probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of five years, beginning July 5, 1990, under the following terms and conditions:

- (a) During the period of probation Defendant will not prescribe, administer or dispense any controlled and dangerous substance with the exception that the Defendant may administer/order controlled and dangerous substances to hospital in-patients only.
- (b) During the period of probation Defendant will take no medication except that which is authorized by a physician treating him for a legitimate medical need and Defendant shall have an affirmative duty to inform any physician treating him of Defendant's previous use of controlled dangerous substances and alcohol.
- (c) During the period of probation Defendant will not prescribe, administer or dispense any medication for his personal use, to specifically include controlled dangerous substances.
- (d) During the period of probation Defendant 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 and surgery as interpreted by the Oklahoma State Board of Medical Licensure and Supervision.
- (e) During the period of probation Defendant will 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 Defendant will pay for testing and analysis of those specimens.
- (f) During the period of probation Defendant will continue active participation in support programs operated through the Physician Recovery Committee of the

Oklahoma State Medical Association and any psychological counseling, as recommended by the Board or any representative thereof.

- (g) During the period of probation Defendant will 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) Defendant shall appear before the Board en banc or a designated member thereof whenever requested to do so.
- (i) During the period of probation Defendant will submit to the Investigative Division of the Oklahoma State Board of Medical Licensure and Supervision any required reports and forms on a timely and prompt basis.
- (j) Pursuant to Section 26, H.B. 1478, 1987 Legislature, Defendant shall promptly pay upon receipt of invoice from the Investigative Division of the Board the costs of investigation, prosecution and probation of this case.
- (k) That violation of any the terms and conditions of probation shall be grounds for additional charges to be presented to the Board after notice to the Defendant.
- (l) That Defendant gives blanket permission to the Oklahoma State Board of Medical Licensure and Supervision to obtain all otherwise confidential information pertaining to the Defendant's physical, mental, emotional conditions as observed by colleagues, family members, professionals or associates to include hospital personnel and patients.
- (m) Defendant shall advise the Investigation Division of the Oklahoma State Board of Medical Licensure and Supervision of all physicians who have treated him within the last five (5) years, including their address and telephone number and a summary of the treated illness, and Defendant shall sign a release allowing Investigators of the State Board to obtain and review those records kept by those physicians relating to that care and treatment.
- (n) During the period of probation Defendant shall notify any hospital where he holds staff privileges or clinic or group where he practices of the terms and conditions of this Board Order and supply a copy thereof.

3. That the jurisdiction of the Board in this individual proceeding will continue in this matter until the terms and conditions of probation are modified or lifted by the Oklahoma State Board of Medical Licensure and Supervision on their own motion, or on the motion of the Defendant.

4. That the Defendant further agrees that failure to meet any of the above terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke

Defendant's Oklahoma Medical License, after additional due notice and hearing.

DATED this 13 day of September, 1990.

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

Approved as to Form:

Daniel J. Gamino

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 17 day of September, 1990, to:

MICHAEL B. BEASON, M.D.
305 "P" SW

Andover OK 73401

Janet L. Owens