

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.)
Medical License No. 14702,)
)
Defendant.)

CASE NO. 89-04-844 A

ORDER REDUCING LEVEL
OF PROBATION FROM LEVEL I TO LEVEL II

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on January 11, 1992, at the office of the Oklahoma 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 or representative.

The 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 therefore finds as follows:

FINDINGS OF FACT

1. That Defendant, Michael B. Beason, M.D., holds Oklahoma Medical License No. 14702.
2. That the 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 following notice and hearing on September 1, 1990, the Board formally accepted the Board Secretary's Order to Reinstate Defendant's Oklahoma Medical License and the Board placed the Defendant on probation for a period of five (5) years beginning on July 5, 1990, under certain enumerated terms and conditions.
4. That the Defendant is now a full-time employ of the Oklahoma Department of Corrections and works at the Lexington, Oklahoma, Assessment Center, and because of the wide range of medical responsibilities it is necessary that the Defendant supervise Physician's Assistants at Lexington until another full-time medical doctor is hired by the Department of Corrections.
5. That said supervision by Defendant under these special circumstances shall be specifically allowed.
6. That the Defendant's present activities and the Defendant's prior record support modification of level of supervision from Level I to Level II.

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over this matter pursuant to the Oklahoma Medical Practice Act, 59 O.S. Supp. 1990, Sec. 481 et seq., and by previous orders entered herein.

ORDER

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

1. That the Defendant, Michael B. Beason, M.D., holding Oklahoma Medical License No. 14702, should be and is hereby reduced in level of supervision from Level I to Level II.

2. That the Defendant should be and is hereby maintained on probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of five (5) years beginning July 5, 1990, under the following terms and conditions, to-wit:


- (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, 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 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) That Defendant shall appear before the Board or a designated member thereof whenever requested to do so.
- (i) During the period of probation Defendant will submit to the Investigation 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 within 30 days of receipt of invoice from the Investigation Division of the Board the costs of investigation, prosecution and probation of this case, unless the Defendant affirmatively obtains a deferment of all or part of said fees upon presentation of evidence that is acceptable to the Board Secretary.
- (k) That violation of any of 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.

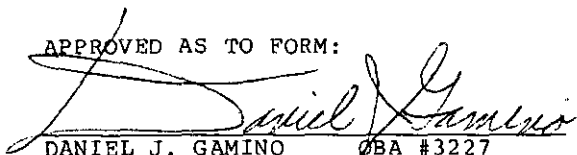
3. That the jurisdiction of the Board in this individual proceeding will continue in this matter until the terms and conditions of probation are modified or withdrawn by the Oklahoma State Board of Medical Licensure and Supervision, either on their own motion or on the motion of the Defendant.

4. That failure to meet any of the above terms of probation will constitute cause for the staff of the Board to initiate additional proceedings to suspend or revoke Defendant's Oklahoma Medical License upon additional due notice.

DATED this 16 day of January, 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 17th day of January, 1992, to:

MICHAEL B. BEASON, M.D.
c/o Lexington Assessment Center
Oklahoma Dept. of Corrections
P.O. Box 260
Lexington, OK 73051

