

IN AND BEFORE THE OKLAHOMA BOARD OF
MEDICAL LICENSURE AND SUPERVISION

STATE OF OKLAHOMA

IN THE MATTER OF THE)
APPLICATION OF)
)
MARK LYNN)
)
FOR REINSTATEMENT OF FULL)
OKLAHOMA MEDICAL LICENSE.)

FINAL ORDER GRANTING FULL LICENSURE WITH
TERMS OF PROBATION

This matter came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on July 27, 1996, at the offices of the Board, 5104 North Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and rules of the Board.

Mark Lynn, M.D. appeared in person, pro se, waived his right to counsel and agreed to proceed without counsel.

The Board of Medical Licensure and Supervision heard testimony, reviewed the application and all attached exhibits, and being fully apprised of the premises, made the following Findings of Fact:

FINDINGS OF FACT

1. That the Applicant has a special license with terms to practice as a physician and surgeon in Oklahoma.
2. That the Applicant is applying for full licensure in Oklahoma as a physician and surgeon.
3. That the Board of Medical Licensure and Supervision 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.
4. That the Applicant's license should be reinstated to a full license and placed on a five (5) year probation to the Board under the terms and conditions set forth hereunder.

CONCLUSIONS OF LAW

That the Board of Medical Licensure and Supervision has jurisdiction over the subject matter herein pursuant to 59 O.S. Sec. 480 et seq.

ORDER

It is therefore ORDERED by the Board of Medical Licensure and Supervision that the application of Mark Lynn, for reinstatement of full licensure in Oklahoma as a physician and surgeon should be and the same is hereby GRANTED under the following terms and conditions, to-wit:

1. That Dr. Lynn shall limit his practice to family practice and begin a five (5) year probation under the following terms and conditions:

(a) During the period of probation Defendant will not prescribe, administer or dispense any medications for his personal use, to specifically include controlled dangerous substances.

(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 substance abuse.

(c) 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.

(d) 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.

(e) During the period of probation Defendant has the affirmative duty to not engage in any activity or to ingest any medication or substance of any nature that will test positive for alcohol or any controlled dangerous substance.

(f) During the period of probation Defendant will maintain a program of abstinence through participation in and/or association with any and all organization, groups or individuals selected by the Board or its designee and deemed appropriate for assessment, treatment or support. Defendant further agrees to provide proof thereof to the Board or its designee.

(g) During the period of probation Defendant shall not order, dispense or administer any controlled dangerous substances or legend drugs, except Defendant may order, dispense or administer life-saving drugs to a patient in an emergency,

life-threatening situation. When this occurs, Defendant shall have the affirmative duty to inform the Board Compliance Coordinator and furnish the patients records for this incident.

(h) 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.

(i) That Defendant shall appear before the Board or a designated member thereof whenever requested to do so.

(j) 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.

(k) Pursuant to Title 59 O.S. Sec. 506, Defendant shall promptly pay within 30 days of receipt of invoice from 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.

(l) Until such time as all indebtedness to the Board has been satisfied, Defendant will reaffirm said indebtedness in any and all bankruptcy proceedings.

(m) That Defendant will conduct his practice in compliance with the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act as interpreted by the Oklahoma State Board of Medical Licensure and Supervision. Any question of interpretation regarding said Act shall be submitted in writing to the Board and no action based on the subject of the question will be taken by Defendant until clarification of interpretation is received by Defendant from the Board.

(n) Defendant will not allow the initiation of any therapeutic regimen by any personnel under his supervision unless Defendant is in the immediate geographic vicinity of said personnel.

(o) During the period of probation Defendant will furnish to each and every state in which he holds licensure or applies for licensure and hospitals, clinics or other institutions or applies for licensure and hospitals, clinics or other institutions in which he holds or anticipates holding any form of staff privilege, a copy of the Board order stipulating sanctions imposed by the Board.

(p) During the period of probation Defendant will not

supervise a physician assistant.

(g) 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.

(r) A copy of this written order should be sent to the Dr. Lynn as soon as it is processed.

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

3. 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 8 day of August, 1996.

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

CERTIFICATE OF MAILING

This is to certify that on this 12 day of August,
1996, a true and correct copy of this order was mailed, postage
prepaid, to:

Mark Lynn, M.D.

316 NW 18
OKLAHOMA CITY OK
73103

Janet L Owens
Janet Owens, Secretary