

IN AND BEFORE THE OKLAHOMA BOARD OF  
MEDICAL LICENSURE AND SUPERVISION

**FILED**

STATE OF OKLAHOMA

MAR 16 2000

IN THE MATTER OF THE )  
REQUEST OF )  
 )  
MARK LYNN, M.D. )  
LICENSE NO. 14916 )  
 )  
FOR MODIFICATION OF )  
TERMS OF PROBATION )

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

**FINAL ORDER MODIFYING TERMS OF PROBATION**

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision on March 9, 2000, at the office of the Board, 5104 N. 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.

The Board of Medical Licensure and Supervision heard testimony, reviewed the materials and being fully apprised of the premises, made the following Findings of Fact, Conclusions of Law and Orders:

**FINDINGS OF FACT**

1. Dr. Lynn has a full license with terms of probation to practice as a physician and surgeon in Oklahoma.
2. Dr. Lynn has requested modification of the terms of probation.
3. 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. Dr. Lynn's terms of probation should be modified.

**CONCLUSIONS OF LAW**

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

## ORDER

It is therefore **ORDERED** by the Board of Medical Licensure and Supervision that the terms of probation for Dr. Lynn be modified under the following terms and conditions, to-wit:

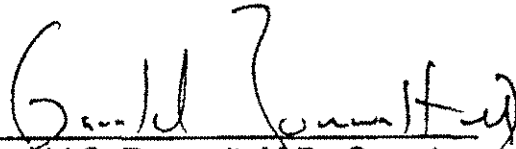
1. Dr. Lynn shall limit his practice to family practice and continue the five (5) year probation that began July 27, 1996 under the following terms and conditions:
  - (a) Dr. Lynn will not prescribe, administer or dispense any medications for his personal use, to specifically include controlled dangerous substances.
  - (b) Dr. Lynn will take no medication except that which is authorized by a physician treating him for a legitimate medical need and Dr. Lynn shall have an affirmative duty to inform any physician treating him of his previous substance abuse.
  - (c) Dr. Lynn 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) Dr. Lynn will submit biological fluid specimens including, 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 Dr. Lynn will pay for testing and analysis of those specimens.
  - (e) Dr. Lynn 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 substances.
  - (f) Dr. Lynn will maintain a program of abstinence through participation in and/or association with any and all organizations, groups or individuals selected by the Board or its designee and deemed appropriate for assessment, treatment or support. Dr. Lynn further agrees to provide proof thereof to the Board or its designee.
  - (g) Dr. Lynn will keep duplicate, serially numbered prescriptions of all controlled dangerous substances ordered or prescribed by him

readily retrievable in numerical order and will furnish copies to investigators or other authorized agents of the Board immediately upon request.

- (h) Dr. Lynn 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) Dr. Lynn shall appear before the Board or a designated member thereof whenever requested to do so.
- (j) Dr. Lynn 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 59 O.S. §506, Dr. Lynn shall promptly pay within 30 days of receipt of invoice from the Board the costs of investigation, prosecution and probation of this case, unless Dr. Lynn 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, Dr. Lynn will reaffirm said indebtedness in any and all bankruptcy proceedings.
- (m) Dr. Lynn 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 Dr. Lynn until clarification of interpretation is received by Dr. Lynn from the Board.
- (n) Dr. Lynn will not allow the initiation of any therapeutic regimen by any personnel under his supervision unless he is in the immediate geographic vicinity of said personnel.
- (o) Dr. Lynn 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.

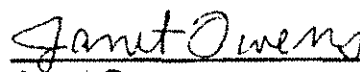
- (p) Dr. Lynn will not supervise a physician assistant.
  - (q) Violation of any of the terms and conditions of probation shall be grounds for additional charges to be presented to the Board after notice to the Defendant.
  - (r) A copy of this written order should be sent to Dr. Lynn as soon as it is processed.
2. Jurisdiction of the Board in this individual proceeding will continue until the terms and conditions of probation are modified or lifted by the Oklahoma State Board of Medical Licensure and Supervision on its own motion or on the motion of Dr. Lynn.
  3. Failure to meet any of the above terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke Dr. Lynn's Oklahoma Medical License, after additional due notice and hearing.

DATED this 16 day of March, 2000.

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

CERTIFICATE OF MAILING

I certify that on the 17 day of March, 2000, I mailed a true and correct copy of this Order, postage prepaid, to Mark Lynn, M.D., 316 N.W. 18<sup>th</sup>, Oklahoma City, OK 73103.

  
Janet Owens