

IN AND BEFORE THE OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE AND SUPERVISION

STATE OF OKLAHOMA

FILED

SEP 29 1988

STATE OF OKLAHOMA, ex rel,)
OKLAHOMA STATE BOARD OF)
MEDICAL LICENSURE AND)
SUPERVISION,)

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff

v.

JEFFREY M. SPEAR, M.D.
Medical License No. 15000,

CASE NO. 84-10-378

Defendant

ORDER TERMINATING PROBATION

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision en banc on the 15th day of September, 1988, at the office of the Oklahoma State Medical Association, 601 NW Expressway, 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 Jeffrey M. Spear, M.D., Defendant, appeared in person, pro se, without counsel and advised he was ready to proceed without the assistance of counsel.

The Board of Medical Licensure and Supervision en banc heard testimony and 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, Jeffrey M. Spear, M.D., holds Oklahoma Medical License No. 15000.

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 on or around September 21, 1984, Defendant was placed on probation for a period of five (5) years on the general terms that he was to fulfill all terms and conditions of a 20-month after-care contract signed with IPP and the Medical Association of the State of Georgia, and that the applicant would not apply for Federal narcotic license during probation, and would submit biological fluids when requested, and would comply with the Oklahoma Medical Practice Act, and furnish current legal addresses to the Board, and take only medication prescribed by his treating physician.

4. That since the imposition of the terms of his probation all bodily fluid screens done by Medical Arts Laboratory on Defendant have been negative and Defendant has fulfilled a 20-month after-care contract with IPP and the Medical Association of the State of Georgia. Defendant is also still attending AA meetings 3 to 4 times a week and also attended a four-day after-care retreat in Pine Mountain Georgia, from April 3 through 6, 1986.

5. That on or around August 30, 1988, Defendant did make written request to the Board to terminate the remainder of his probation in order that the Defendant could sit for the 1989

recertification examination for the American Board of Family Practice.

6. That the Defendant did comply and fulfill the terms and conditions of probation as previously imposed by the Board.

7. That there would be no danger to public health, safety and welfare in the event the Defendant's probation was terminated earlier than originally scheduled.

CONCLUSIONS OF LAW

1. That Defendant, Jeffrey M. Spear, M.D., is lawfully under the jurisdiction of the Oklahoma Board of Medical Licensure and Supervision originally for a term of five (5) years beginning on September 21, 1984, and it is within the power and discretion of the Board to modify terms and conditions of probation and to terminate probation upon receipt of sufficient evidence.

ORDER


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

1. That the Defendant, Jeffrey M. Spear, M.D., holding Oklahoma Medical License No. 15000, be and the same is hereby terminated from probation originally imposed on September 21, 1984.

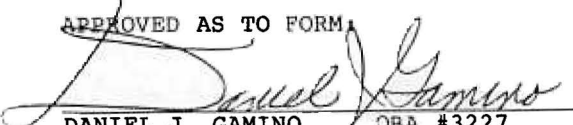
2. Effective date of termination of probation is September 15, 1988.

3. A copy of this Order should be sent to Defendant and placed in the public file so the termination of probation is a matter of record.

DATED this 29th day of September, 1988.


GEROLD 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 5 day of October, 1988, to:

JEFFREY M. SPEAR, M.D.
Rt. 3, Box 151
Poteau, OK 74953

