

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

FILED

STATE OF OKLAHOMA EX REL. THE)
OKLAHOMA STATE BOARD OF)
MEDICAL LICENSURE AND)
SUPERVISION,)

Plaintiff,)

v.)

) Case No. 00-06-2201

MAY 03 2001

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

BRUCE STEWART GILMORE, M.D.)
LICENSE NO. 15474,)
Defendant.)

**ORDER GRANTING REINSTATEMENT OF
LICENSE UNDER TERMS OF PROBATION**

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision on May 3, 2001, at the Board office, 5104 North Francis, Suite C, Oklahoma City, Oklahoma 73118, pursuant to notice given as required by law and rules of the Board.

The Defendant, Bruce Stewart Gilmore, M.D., appeared in person.

Elizabeth A. Scott, Assistant Attorney General, appeared on behalf of the State of Oklahoma, ex rel. the Oklahoma State Board of Medical Licensure and Supervision.

The Board *en banc* heard testimony, reviewed the exhibits presented, and being fully apprised of the premises, entered the following Findings of Fact, Conclusions of Law, and Orders:

Findings of Fact

1. The Defendant has requested reinstatement of his Oklahoma medical license no. 15474.
2. The Board *en banc* has jurisdiction over the subject matter herein, and notice has been given in all respects as required by law and the rules of the Board.

3. On January 25, 2001, the Board entered a Final Order of Suspension whereby Defendant's license was suspended beginning January 25, 2001 and continuing indefinitely pending completion of a treatment program approved by the Board, to include psychiatric evaluation, substance abuse evaluation and fitness to practice evaluation. The Board additionally ordered that upon completion of treatment, that Defendant would be allowed to appear before the Board at its next regularly scheduled meeting to report the results of his evaluation and treatment.

4. Defendant is now seeking reinstatement of his license in accordance with 59 O.S. 1997 Supp. §508.1.

CONCLUSIONS OF LAW

1. The Board has jurisdiction to hear Defendant's request for reinstatement of his license at its next regularly scheduled Board meeting after completion of his evaluation and treatment pursuant to 59 Okla. Stat. §508.1 and the Final Order of Suspension previously entered by the Board.

2. The Board may impose practice parameters and other restrictions as necessary to protect the health, safety and welfare of the public under 59 Okla. Stat. §480 *et seq.*

ORDER

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

1. Defendant's license shall be reinstated under the following terms and conditions of **PROBATION**, which shall continue for a period of five (5) years:

A. 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 Oklahoma State Board of Medical Licensure and Supervision.

B. Defendant will furnish to each and every state in which he holds licensure or applies for licensure and hospitals, clinics or other institutions in which he holds or anticipates holding any form of staff privilege or employment, a copy of the Board Order stipulating sanctions imposed by the Oklahoma State Board of Medical Licensure and Supervision.

- C. Defendant will not prescribe, administer or dispense any medications for personal use or for that of any family member.
- D. Defendant shall obtain and continue both marital therapy and individual supportive psychotherapy from therapists to be approved in advance by the Board Secretary, and shall authorize in writing the release of any and all records of that treatment to the Board or its designee. Defendant shall provide quarterly reports of Defendant's treatment from his therapists to the Board Secretary for his review.
- E. Defendant shall abide by his post care contract with the Oklahoma Physicians Recovery Program and all recommendations of Rush Behavioral Health, and shall attend a minimum of one (1) Caduceus meeting and three (3) 12-Step meetings per week.
- F. Defendant will submit for analysis biological fluid specimens including, but not limited to, blood and urine, upon request of the Board or its designee, and Defendant will pay for the costs attendant thereto.
- G. Defendant will take no medication except that which is authorized by a physician treating him for a legitimate medical need. Defendant has the affirmative duty to inform any and every doctor treating him of the Board Order immediately upon initiation or continuation of treatment.
- H. Defendant will have the affirmative duty not to ingest any substance which will cause a body fluid sample to test positive for prohibited substances.
- I. Defendant shall promptly notify the Board of any relapse, including any entry or re-entry into a treatment program for substance abuse.
- J. Defendant shall promptly notify the Board of any citation or arrest or for criminal offenses involving substance abuse.
- K. Defendant will execute such releases of medical and psychiatric records during the entire term of probation as necessary for use by the Compliance Consultant or other Board designee to obtain copies of medical records and authorize the Compliance Consultant or other Board designee to discuss Defendant's case with Defendant's treating physicians and/or any physicians holding Defendant's records.

L. Defendant will not supervise allied health professionals that requires surveillance of a licensed physician.

M. Defendant will keep the Oklahoma State Board of Medical Licensure and Supervision informed of his current address.

N. Defendant will keep current payment of all assessment by the Oklahoma State Board of Medical Licensure and Supervision for prosecution, investigation and monitoring of his case, including a one hundred (\$100.00) per month monitoring fee, unless Defendant affirmatively obtains a deferment of all or part of said fees upon presentation of evidence that is acceptable to the Board Secretary.

O. Until such time as all indebtedness to the Oklahoma State Board of Medical Licensure and Supervision has been satisfied, Defendant will reaffirm said indebtedness in any and all bankruptcy proceedings.

P. Defendant shall make himself available for one or more personal appearances before the Board or its designee upon request.

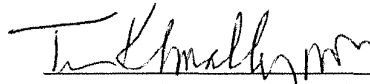
Q. Defendant shall submit any required reports and forms on a timely and prompt basis to the Compliance Consultant or his designee.

2. During the period of probation, failure to meet any of the terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke Defendant's license, after due notice and hearing.

3. This Order Granting Reinstatement of License Under Terms of Probation will go into effect, Defendant's suspension will be lifted, and his license will be reinstated only upon payment in full of all costs and expenses incurred by the State of Oklahoma prior to May 3, 2001.


4. A copy of this written order shall be sent to Defendant as soon as it is processed.

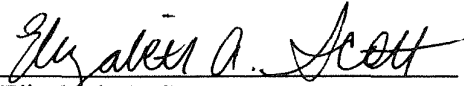
Dated this 3 day of May, 2001.



Tim Smalley, M.D., President
Oklahoma State Board of Medical
Licensure and Supervision

APPROVED:

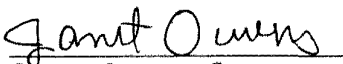

Bruce Stewart Gilmore, M.D.


Elizabeth A. Scott
Assistant Attorney General
State of Oklahoma
5104 N. Francis, Suite C
Oklahoma City, OK 73118

Attorney for the Oklahoma State Board
Of Medical Licensure and Supervision

CERTIFICATE OF MAILING

I certify that on the 4th day of May, 2001, I mailed a true and correct copy of the Order to Bruce Gilmore, MD, 830 Franklin Drive, Ardmore, Oklahoma 73401.


Janet Owens, Secretary