

CONCLUSIONS OF LAW

§508.1 The Board has jurisdiction to reinstate the license of a physician pursuant to 59 O.S.

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

ORDER

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

1. Defendant's medical license shall be reinstated under the following terms and conditions of **PROBATION**, which shall continue **INDEFINITELY** from the date of reinstatement under the following terms and conditions:

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. Upon request of the Board Secretary, Defendant will request all hospitals, clinics and other facilities in which he practices to furnish to the Board Secretary a written statement regarding monitoring of his practice while performing services in or to that hospital, clinic or facility.

C. 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.

D. Defendant will not supervise allied health professionals that require surveillance of a licensed physician.

E. Defendant will enter and continue counseling with Rubin Walls or with another therapist approved in advance by the Board

Secretary and will authorize in writing the release of any and all records of that treatment to the Board or its designee.

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 not prescribe, administer or dispense any medications for personal use or for that of any family member.

H. 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.

I. Defendant will have the affirmative duty not to ingest any substance which will cause a body fluid sample to test positive for prohibited substances, including but not limited to alcohol.

J. Defendant will authorize in writing the release of any and all information regarding his treatment at Rush Behavioral Health Center and 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.

K. Defendant will abide by the terms and recommendations of his postcare contracts with Rush Behavioral Health Center and the Physicians' Recovery Program, copies of which are attached hereto.

L. Defendant will attend four (4) meetings per week of a local 12-step program, including one (1) meeting per week of the Physicians' Recovery Program.

M. Defendant shall promptly notify the Board of any relapse, including any entry, or re-entry, into a treatment program for substance abuse.

N. Defendant shall promptly notify the Board of any citation

or arrest for traffic or for criminal offenses involving substance abuse.

O. Defendant shall immediately obtain a primary care physician.

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

Q. Defendant will keep current payment of all assessment by the Board for prosecution, investigation and monitoring of his case, including but not limited to a \$100.00 per month monitoring fee.

R. 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.

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

T. Defendant shall submit any required reports and forms on a timely and prompt basis to the Compliance Coordinator or designee.

U. Defendant shall practice in a controlled environment approved in advance by the Board Secretary.

V. Defendant shall not practice in excess of forty (40) hours per week during the term of his probation.

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. Defendant's suspended license shall not be reinstated unless Defendant has reimbursed the Board for all taxed costs and expenses incurred by the State of Oklahoma.

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

Dated this 23 day of September, 2004.

DIANNE GASBARRA
MD

Dianne Gasbarra MD
~~John Leatherman, M.D.~~, President
Oklahoma State Board of Medical
Licensure and Supervision

Certificate of Service

On the 24 day of Sept, 2004, a true and correct copy of this order was mailed, postage prepaid, to Bruce Stewart Gilmore, M.D., 830 Franklin Drive, Ardmore, OK 73401.

Janet Swindle
Janet Swindle