

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

STATE OF OKLAHOMA

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

Plaintiff,

v

BRIAN MELTON MEEK, M.D.
Medical License No. 15482

CASE NO. 89-03-819

Defendant.

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision en banc on the 9th day of June, 1989, at the Doubletree Inn at Warren Place, 6100 South Yale, Tulsa, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Daniel J. Gamino, Attorney, appeared for the Plaintiff; and Brian Melton Meek, M.D., Defendant, appeared in person and waived his right to 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, Brian Melton Meek, M.D., holds Oklahoma Medical License No. 15482.

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 Defendant used marijuana from his age of 21 to 23, and during his second year of medical education began a slow but progressive increase in usage of controlled dangerous substances for perceived recreational and stress-relieving purposes. That in approximately February, 1985, Defendant did undergo in-patient chemical dependency treatment at the Faulkner Center, Austin, Texas.

4. That in approximately June, 1988, in Reno, Nevada, Defendant was arrested and charged with driving under the influence of liquor, and the charge was later changed to a misdemeanor of careless driving.

5. Since electing to reside and practice medicine in the State of Nevada, Defendant has been participating under the auspices of the Nevada State Board of Medical Examiners and the Nevada State Medical Association Physicians Aid Committee in conjunction with continued after-care treatment program.

CONCLUSIONS OF LAW

1. That Brian Melton Meek, M.D., holding Oklahoma Medical License No. 15482, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, Sec. 509, Paragraph 16, to-wit:

"16. The inability to practice medicine with reasonable skill and safety to patients by reason of age, illness, drunkenness, excessive use of drugs, narcotics, chemicals, or any other type of material or as the result of any mental or physical condition."

2. That Brian Melton Meek, M.D., is in violation of the Rules and Regulations promulgated by this Board, specifically Section IX, Rule 3, to-wit:

"Rule 3: The habitual or excessive use of any drug which impairs the ability to practice medicine with reasonable skill and safety to the patient."

ORDER

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

1. That the Defendant, Brian Melton Meek, M.D., Oklahoma Medical License No. 15482, should be and is hereby placed on probation to the Oklahoma Board of Medical Licensure and Supervision for a period of five (5) years, beginning June 9, 1989, under the following terms and conditions:

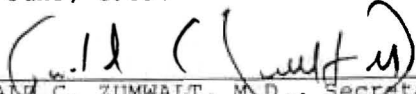
- (a) During the period of probation Defendant will not prescribe, administer or dispense any medications for his personal use, to specifically include controlled dangerous substances.
- (b) During the period of probation Defendant will take no medication except that which is authorized by a physician treating him for a legitimate medical need and Defendant shall have an affirmative duty to inform any physician treating him of Defendant's previous use of controlled dangerous substances and alcohol.
- (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 and 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 may prescribe controlled dangerous substances only on serially-numbered, duplicate prescription pads and Defendant shall make the copies available to the Investigators of the Oklahoma State Board of Medical Licensure and Supervision at their request.

- f) 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.
 - (g) Defendant shall appear before the Board en banc or a designated member thereof whenever requested to do so.
 - (h) During the period of probation Defendant will submit to the Investigative Division of the Oklahoma State Board of Medical Licensure and Supervision any required reports and forms on a timely and prompt basis.
 - (i) Pursuant to Section 26, H.B. 1478, 1987 Legislature, Defendant shall promptly pay upon receipt of invoice from the Investigative Division of the Board the costs of investigation, prosecution and probation of this case.
 - (j) That violation of any the terms and conditions of probation shall be grounds for additional charges to be presented to the Board after notice to the Defendant.
 - (k) During the period of probation Defendant shall comply with requirements of the Recovery Committee of the Oklahoma State Medical Association and authorize the Committee to report his progress periodically to the Board.
- 1 During the period of probation Defendant shall notify any hospital where he holds staff privileges or clinic or group where he practices of the terms and conditions of this Board Order and supply a copy thereof.

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

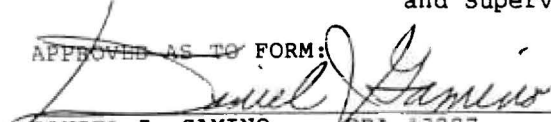
3. The Defendant further agrees that failure to meet any of the above terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke Defendant's Oklahoma Medical License, after additional due notice and hearing.

DATED this 30 day of June, 1989.



 GERALD C. ZUMWALT, M.D., Secretary
 State Board of Medical Licensure
 and Supervision

APPROVED AS TO FORM:


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