

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,

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

CASE NO. 89-03-819

Defendant

ORDER MODIFYING
TERMS OF PROBATION

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on March 16, 1991, at the office of the Oklahoma State Board of Medical Licensure and Supervision, 5104 N. Francis, Suite C, 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 Brian Melton Meek, M.D., Defendant, appeared in person, pro se, waived his right to legal counsel, and announced ready to proceed without counsel.

The Board of Medical Licensure and Supervision en banc heard the oral argument, reviewed exhibits, and being fully advised in the premises, the Board of Medical Licensure and Supervision finds as follows:

FINDINGS OF FACT

1. That Defendant, Brian Melton Meek, M.D., holds Oklahoma Medical License No. 15482.
2. That the Oklahoma 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 following notice and hearing on or around June 9, 1989, Defendant's medical license was placed on probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of five (5) years beginning on June 9, 1989, under certain enumerated terms and conditions.
4. That subsequent to the entry of the above Order, the Defendant has functioned in substantial compliance with those terms and conditions since that date.
5. That Defendant sought to modify terms and conditions of his probation to decrease his degree of supervision from Level I to Level II, and to meet with the Board Secretary to provide financial information and to work out payment plan for payment of investigation, prosecution and probation costs.
6. That evidence indicated said requests could be granted without any danger to public health, safety and welfare.

CONCLUSIONS OF LAW

1. That the Defendant remains under the jurisdiction of the Oklahoma Board of Medical Licensure and Supervision and it is within the judgment and discretion of the Board to modify terms and conditions as reflected by evidence received in the record.

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., holding Oklahoma Medical License No. 15482, should be and is hereby reduced from Level I to Level II supervision and is ordered to provide financial information to the Board Secretary and to work out a payment plan to reduce arrearage for unpaid costs of investigation, prosecution and probation in this case.

2. That the Defendant should be and is hereby ordered to remain on probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of five (5) years, beginning on June 9, 1989, under the following terms and conditions, to-wit:

- 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

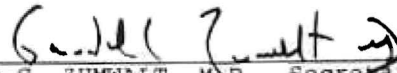
Supervision all current legal addresses and any change of address in writing.

- (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 within 30 days of receipt of invoice from the Investigation Division of the Board the costs of investigation, prosecution and probation of this case, unless the Defendant affirmatively obtains a deferment of all or part of said fees upon presentation of evidence that is acceptable to the Board Secretary.
- (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.
- (l) 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.

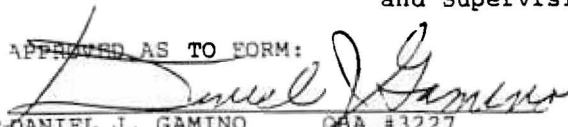
3. That the jurisdiction of the Board in this individual proceeding will continue in this matter until the terms and conditions of probation are modified or withdrawn by the Oklahoma State Board of Medical Licensure and Supervision, either on their own motion or on the motion of the Defendant.

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

DATED this 21 day of March, 1991.


GERALD 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 22 day of March, 1991, to:

BRIAN MELTON MEEK, M.D.
6013 S. Atlanta Court
Tulsa, OK 74105

Janet Owens