

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

**FILED**

JUN - 3 2004

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA

IN THE MATTER OF THE )  
APPLICATION OF )  
 )  
ROBERT DAVID BOLES )  
 )  
FOR REINSTATEMENT OF )  
OKLAHOMA MEDICAL LICENSE )

Application No. 15526

AGREEMENT FOR LICENSURE

This Agreement for Licensure is entered into by and between Gerald C. Zumwalt, Secretary and Medical Director of the Oklahoma State Board of Medical Licensure and Supervision, and Robert David Boles, M.D., Applicant, pursuant to the authority of 59 O.S. §480 et seq. and Section 435:10-4-11 of the Oklahoma Administrative Code.

*FACTUAL STIPULATIONS AND ACKNOWLEDGEMENTS*

1. Applicant has made application for licensure as a physician and surgeon in Oklahoma and has agreed to certain conditions upon which his license may be granted as set out more fully below.

2. The conditions have been agreed upon in response to questions raised during the application process concerning Applicant's fitness or ability to practice with reasonable skill and safety as a result of past disciplinary action and past psychiatric diagnosis and treatment.

3. Applicant, by signing below, acknowledges and agrees that (i) Applicant is of sound mind and is not under the influence of, or impaired by, any medication or drug; (ii) Applicant has read and understands the terms of this agreement; (iii) Applicant understands that by entering into this agreement, Applicant has waived certain rights such as the right to a full hearing on the merits of this application; (iv) Applicant has agreed to and signed this agreement voluntarily; and (v) there are no verbal, written or other agreements or promises of any kind, including a guarantee licensure, between Applicant and the Board or its staff which are not set out in this agreement.

4. The Board has jurisdiction over the subject matter herein pursuant to 59 Okla. Stat. §480 et seq. and the authority to approve the terms of the agreement entered into between the Board and the Applicant under 59 Okla. Stat. §492.1 and Section 435:10-4-11 of the Oklahoma Administrative Code ("OAC"). Pursuant to OAC Section

435:10-4-11, this agreement shall not be considered by the Board to be a disciplinary action.

### *AGREEMENTS*

In consideration of the mutual promises stated herein, the Board shall issue Applicant a license to practice as a physician and surgeon subject to the following terms and conditions:

1. Applicant will conduct Applicant's practice in compliance with the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act as interpreted by the Board. Any question of interpretation regarding the Act or this Agreement shall be submitted in writing to the Board, and no action based on the subject of the question will be taken by Applicant until clarification of interpretation is received by Applicant from the Board.

2. Applicant will enter and continue psychiatric therapy with a psychiatrist approved in advance by the Board Secretary, and will submit quarterly reports from his treating psychiatrist to the Board Secretary for his review.

3. Applicant will continue to follow all requirements set forth in his Voluntary Agreement with the Alabama Board of Medical Examiners.

4. Applicant will affiliate with the Oklahoma Physicians' Recovery Program.

5. A retrospective random chart review of Applicant's patients will be conducted periodically by the Compliance Consultant or other designated representative of the Board. Applicant shall allow the Compliance Consultant or other designated representative of the Board access to all patient charts at any time and shall allow for the immediate copying of said charts for review by the Board Secretary. The Compliance Consultant shall submit quarterly reports of his chart review to the Board for its consideration.

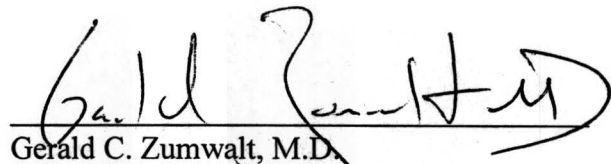
6. Applicant will submit quarterly reports regarding the monitoring of his practice from the Chief of Staff or Chief of Surgery at Applicant's place of employment to the Board Secretary for his review

7. Upon request by the Board, its attorneys, investigators, compliance officers or other employees or agents, Applicant shall provide the Board with a written statement as to his physical and mental health and treatment and the state of his practice.

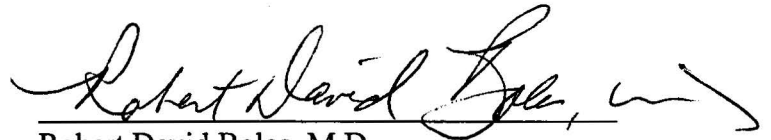
8. Applicant will not prescribe, administer or dispense any medications for personal use.

9. Applicant will submit for analysis biological fluid specimens including, but not limited to, blood and urine, upon request of the Board or its designee, and Applicant will pay for the costs attendant thereto.
10. Applicant will take no medication except that which is authorized by a physician treating him for a legitimate medical need. Applicant has the affirmative duty to inform any and every doctor treating him of this Board Order immediately upon initiation, or continuation, of treatment.
11. Applicant will have the affirmative duty not to ingest any substance which will cause a body fluid sample to test positive for prohibited substances.
12. Applicant will keep the Board informed of his current address.
13. Applicant will execute releases of medical, counseling and psychiatric records for use by the Compliance Consultant or other agents of the Board and will authorize the Compliance Consultant or other agents of the Board to discuss Applicant's case with Applicant's treating physicians, counselors and/or other custodians of Applicant's records.
14. Any violation of the terms, conditions and requirements of this agreement shall constitute conclusive evidence of unprofessional or dishonorable conduct, which may result in disciplinary action, including suspension or revocation.
15. The terms and conditions of this agreement shall be of a continuing nature until set aside or otherwise terminated by the Board either on the Board's own motion or upon motion of the Applicant.
16. Applicant will furnish a copy of this agreement to each and every state in which he holds licensure or applies for licensure and to all hospitals, clinics or other facilities in which he holds or anticipates holding any form of staff privileges or employment.
17. Applicant will keep current payment of all assessments by the Board for the investigation and monitoring of his case.
18. Until such time as all indebtedness to the Board has been satisfied, Applicant will reaffirm said indebtedness in any and all bankruptcy proceedings.
19. Applicant shall make himself available for one or more personal appearances before the Board or its designee upon request.
20. Applicant shall submit any required reports and forms on a timely and prompt basis to the Compliance Coordinator or his designee.

Executed and agreed to this 3 day of June, 2004.



Gerald C. Zumwalt, M.D.  
Secretary and Medical Advisor  
Oklahoma State Board of Medical  
Licensure and Supervision



Robert David Boles, M.D.  
Applicant