

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

STATE OF OKLAHOMA

FILED

FEB 17 1994

STATE OF OKLAHOMA, ex rel,)
OKLAHOMA STATE BOARD OF)
MEDICAL LICENSURE AND)
SUPERVISION,)
)
Plaintiff,)
)
v.)
)
VICTOR EUGENE McCALL, M.D.)
Medical License No. 15667,)
)
Defendant.)

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

CASE NO. 93-07-1528

FINAL ORDER

This cause came on for consideration before the Oklahoma Board of Medical Licensure and Supervision on February 11, 1994, 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 Victor Eugene McCall, M.D., Defendant, did not appear in person or by representative or by any communication with Plaintiff staff.

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

FINDINGS OF FACT

1. That Defendant, Victor Eugene McCall, M.D., holds Oklahoma Medical License No. 15667.

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 records at the Oklahoma Board of Medical Licensure and Supervision indicated that Defendant had been sent Notice of Hearing for February 11, 1994, on or around December 27, 1993. The aforesaid notice was mailed to Victor McCall, M.D., 6236 Indian Creek Dr., Fort Worth, TX 76107, and to Victor McCall, 718 West Wheatland Road, Duncanville, TX 75137. The Board of Medical Licensure and Supervision staff had received back the return receipt on the certified mailing indicating receipt by the Defendant.

4. That on or around February 22, 1991, the Texas State Board of Medical Examiners did accept and issue an Order in Case No. D-3509, In the Matter of the License of Victor E. McCall, M.D. The case arose out of Defendant delegating to a radiologic technician the responsibility for calculating the appropriate dosage of Chloral Hydrate to administer to a patient. The Chloral Hydrate dosage was incorrectly calculated and led to the death of the patient. The Texas Board adopted a proposed Informal Settlement and placed Defendant on probation for a period of ten (10) years under enumerated terms and conditions that included requiring Defendant to successfully complete a

course in general pharmacology and complete a course in Advanced Cardiac Life Support and to prepare a paper suitable for publication regarding radiologic technicians and the procedures or treatments that can be delegated from a physician to a technician, and other terms and conditions set forth therein.

5. That Defendant was perpetuating significant harm to public health, safety and welfare by the acts and omissions set forth in the above allegations.

CONCLUSIONS OF LAW

1. That Victor Eugene McCall, M.D., holding Oklahoma Medical License No. 15667, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1991, Sec. 509, Paragraph 9, to-wit:

"9. Dishonorable or immoral conduct which is likely to deceive or defraud the public."

ORDER

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

1. That the Defendant, Victor Eugene McCall, M.D.'s, Oklahoma Medical License No. 15667, should be and is hereby REVOKED.

2. That a copy of this written Order should be sent to the Defendant as soon as possible so his record is complete.

DATED this 17 day of Feb, 1994.

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

APPROVED AS TO FORM:

Daniel J. Gamino
DANIEL J. GAMINO OBA #3227
Daniel J. Gamino & Associates, P.C.
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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 18 day of Feb, 1994, to:

VICTOR EUGENE McCALL, M.D.
6236 Indian Creek Dr.
Fort Worth, TX 76107

VICTOR EUGENE McCALL, M.D.
718 West Wheatland Road
Duncanville, TX 75137

Janet L Owens