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. CASE NO. 95-06-1715 JEFFERSON DAVIS ERWIN, (M.D.) Medical License No. 15856,) Defendant.)

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FINAL ORDER OF REPRIMAND

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on September 16, 1995, 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 Jefferson Davis Erwin, M.D., Defendant, appeared in person and by counsel, Tom Reisen, Attorney at Law, 4900 S. Western, Oklahoma City, OK 73109.

The Oklahoma Board of Medical Licensure and Supervision en banc heard statements and stipulations of counsel, and being fully advised in the premises, the Board of Medical Licensure and Supervision finds and orders as follows:

FINDINGS OF FACT

1. That Defendant, Jefferson Davis Erwin, M.D., holds Oklahoma Medical License No. 15856.

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 on or around August 23, 1994, Defendant Erwin, with advice of legal counsel, did enter a formal plea of Guilty to the crimes of Assault and Assault and Battery in Oklahoma County District Court Case No. CF-94-3876 styled <u>State of</u> Oklahoma_v, Jefferson Davis Erwin.

4. That on the Summary of Facts Defendant Erwin did state under oath the following answers to the following guestions, to-wit:

"4. Are you taking any kind of medication?

Answer: Yes.

a. If yes, what kind and when did you take it?

Answer: High blood pressure & heart (daily)"

"6. Have you ever been seen by a doctor or confined in a hospital for mental illness?

Answer: No."

5. That to date Defendant Erwin has deliberately failed and refused to inform the Board of the criminal Assault and Battery that occurred on or around May 29, 1994, which resulted in his arrest, criminal charges, and court disposition set forth above.

CONCLUSIONS OF LAW

1. That Jefferson Davis Erwin, M.D., holding Oklahoma Medical License No. 15856, is in violation of the Oklahoma Medical Practice Act, 59 O.S. Supp. 1994, 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 Defendant, Jefferson Davis Erwin, M.D., holding Oklahoma Medical License No. 15856, should receive and is hereby issued a FORMAL REPRIMAND based on the Findings of Fact and Conclusions of Law set forth above.

2. That the Defendant is further ordered to immediately advise the Board Executive Director in the event he is re-employed at the James Crabtree Correctional Center, Helena, Oklahoma.

DATED this 2 hadday of betaler , 1995.

GEORGE M. BROWN, JR., M.D., Secretar State Board of Medical Licensure and Supervision

APPROVED AS TO FORM: in DANTEL J. GAMINO

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 $\underline{3}$ day of $\underline{O(tober ..., 1995)}$, to:

JEFFERSON DAVIS ERWIN c/o Tom Reisen Attorney at Law 4900 S. Western Oklahoma City, OK 73109

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