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9/25/86

IN AND BEFORE THE STATE BOARD OF MEDICAL EXAMINERS

STATE OF OKLAHOMA

IN THE MATTER OF THE APPLICATION)
OF MARSHALL LEE GARRETT FOR AN)
OKLAHOMA MEDICAL LICENSE.)

ORDER GRANTING LICENSURE AND ESTABLISHING
PERIOD OF PROBATION

This cause comes on for hearing before the Oklahoma Board of Medical Examiners en banc on September 6, 1986, at 5104 North 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 Oklahoma Board of Medical Examiners, and Marshall Lee Garrett appeared in person, without counsel, and agreed to proceed without counsel waiving his right to legal representation.

The Board of Medical Examiners en banc heard the testimony and reviewed the exhibits, and being fully advised in the premises, the Board of Medical Examiners therefore finds as follows:

FINDINGS OF FACT

1. That Applicant, Marshall Lee Garrett, presently holds a medical license issued from the State of Pennsylvania and from the State of California and previously held a medical license issued from the State of Florida which is now suspended and his Pennsylvania license is on a period of probation. That a true and correct copy of the Order from the Florida Board of Medical Examiners dated January 20, 1984 is attached hereto and marked as Exhibit A, and a true and correct copy of the Order issued July 29, 1983 from the Florida Board of Medical Examiners is attached hereto and marked as Exhibit B.

2. That the Applicant is in compliance with probation terms set forth by the State of Pennsylvania.

3. That the clinical skills and personal attributes of the Applicant are favorable and he may be licensed in the State of Oklahoma and placed on probation for a period of three years under certain terms and conditions to protect public health, safety and welfare.

4. That no other derogatory information was submitted or made known to the Oklahoma Board of Medical Examiners.

CONCLUSION OF LAW

1. That the Applicant fulfilled the requirements of 59 O.S. Supp. 1985, §493, and applicable rules and regulations of the Board of Medical Examiners for licensure in Oklahoma.

2. That the Board retains continuing jurisdiction over the Applicant, with the express approval and consent of the Applicant, to impose a period of probation of three years with the terms and conditions set forth below.

ORDER


IT IS THEREFORE ORDERED BY THE Board of Medical Examiners of Oklahoma as follows:

1. That the Application of Marshall Lee Garrett for licensure as a physician and surgeon in Oklahoma should be and the same is hereby approved.

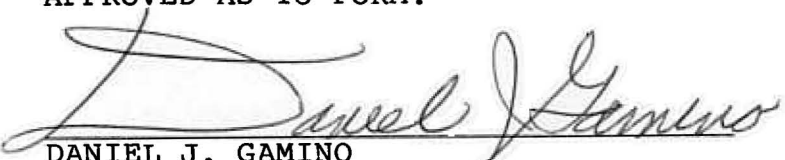
2. That the Applicant should be and is hereby placed on a period of probation to the Oklahoma State Board of Medical Examiners for a period of three years beginning on September 6, 1986 under the following terms and conditions:

- a. That during the period of probation the Applicant shall continue to attend Alcoholics Anonymous meetings regularly and to participate in any appropriate out-patient program.
- b. During the period of probation the Applicant should contact the Physicians Recovery Committee of the Oklahoma State Medical Association and should work actively with that Committee.
- c. That the Applicant shall appear before this Board or a designated member thereof whenever requested to do so.
- d. That the Applicant will voluntarily submit biological fluid specimens to include, but not limited to, blood and urine, for analysis at his expense, upon the request of any inspector or other agent representing the Oklahoma State Board of Medical Examiners.
- e. During the period of probation, Applicant will not treat himself or prescribe, administer or dispense any medication for his personal use.
- f. That the Applicant has an affirmative duty to disclose his prior dependency disease to any treating physician at the time of his treatment.
- g. That the Applicant shall keep the Board of Medical Examiners apprised as to his practice address and shall advise the Board of any change in that address.

DATED this 6th day of October, 1986.


MARK R. JOHNSON, M.D., Secretary
State Board of Medical Examiners

APPROVED AS TO FORM:


DANIEL J. GAMINO
Daniel J. Gamino & Associates, P.C.
3315 Northwest 63rd Street
Oklahoma City, Oklahoma 73116
(405) 840-3741
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF MAILING

I hereby certify that on the 7th day of October, 1986, I deposited in the U. S. Mails, postage prepaid, a true and correct copy of the above and foregoing instrument addressed to:

Marshall Lee Garrett
Post Office Box 2068
Elk City, Oklahoma 73648


DANIEL J. GAMINO