

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.

LAWRENCE HENRY TROMBKA, M.D.
Medical License No. 16300,

CASE NO. 91-08-1208

Defendant.

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on November 1, 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 Lawrence Henry Trombka, M.D., Defendant, appeared in person and by counsel, Robert J. Turner, of Turner, Turner & Braun, 1319 Classen Drive, Oklahoma City, Oklahoma 73103.

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

FINDINGS OF FACT

1. That Defendant, Lawrence Henry Trombka, M.D., holds Oklahoma Medical License No. 16300.
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 2, 1991, Defendant was found guilty of the felony crime of Medicaid Fraud in Oklahoma County Case No. CF-91-3982, and received a three-year suspended sentence, \$15,000.00 fine, \$10,000.00 reimbursement to the Victim's Compensation Fund, and \$75,000.00 restitution.
4. That Respondent was perpetuating significant harm to public health, safety and welfare by committing the acts and omissions contained in the above criminal allegations by making false claims upon the Oklahoma Medicaid Program which resulted in criminal information alleging that the Defendant had caused the Oklahoma Medicaid Program to pay him at least \$75,000.00 more than he was entitled to receive for professional services.

CONCLUSIONS OF LAW

1. That Lawrence Henry Trombka, M.D., holding Oklahoma Medical License No. 16300, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, Sec. 509, Paragraphs 6 and 10, to-wit:

- "6. Conviction of a felony or of any offense involving moral turpitude."
- "10. The commission of any act which is a violation of the criminal laws of Oklahoma when such act is connected with the physician's practice of medicine."

ORDER

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

1. That the Defendant, Lawrence Henry Trombka, M.D., holding Oklahoma Medical License No. 16300, should be and is hereby SUSPENDED from the practice of medicine for the period of time of six (6) months effective November 4, 1991.

2. That following the completion of the six-month suspension of license, Defendant, Lawrence Henry Trombka, M.D., holding Oklahoma Medical License No. 16300, should be and is hereby placed on a term of PROBATION to the Oklahoma State Board of Medical Licensure and Supervision for a period five (5) years beginning May 4, 1992, under the following terms and conditions:


- (a) That the Defendant provide proof of performance of at least 100 hours of unpaid community service every three months.
- (b) 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.
- (c) 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.
- (d) That Defendant shall appear before the Board or a designated member thereof whenever requested to do so.
- (e) During the period of probation Defendant will submit to the Investigation Division of the Oklahoma State Board of Medical Licensure and Supervision any required reports and forms on a timely and prompt basis.
- (f) 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.
- (g) That violation of any of the terms and conditions of probation shall be grounds for additional charges to be presented to the Board after notice to the Defendant.

3. That the jurisdiction of the Board in this individual proceeding will continue until the terms and conditions of probation are modified or lifted by the Oklahoma Board of Medical

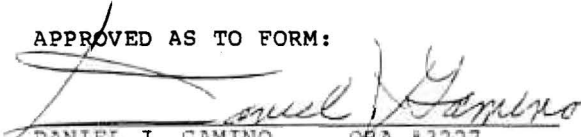
Licensure and Supervision on their own motion or on the motion of the Defendant.

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

DATED this 8 day of November, 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 12 day of November, 1991, to:

LAWRENCE HENRY TROMBKA, M.D.
c/o Robert J. Turner
Turner, Turner & Braun
1319 Classen Drive
Oklahoma City, OK 73103


Janet S. Owens