

d. Dr. Simmons failed to diagnose in all three cases."

The Credentials Committee then made the following recommendations, to-wit:

"In view of these findings, the Credentials Hearing Committee unanimously recommends that the following actions be taken:

a. That Dr. Simmons' privileges be reinstated with the limitation that he be scheduled for duty in the Outpatient Clinics only (that his practice be limited to Outpatient Clinics only);

b. That all medical records of those patients that Dr. Simmons treats over the next three months be reviewed;

c. That the Chief of Primary Care triage these medical records and forward them to the appropriate department for review; and

d. Dr. Simmons' credentials be re-evaluated by the Credentials Committee at the end of the three month period."

5. That on or around November 13, 1991, the Credentials Committee, Noble Army Community Hospital, Ft. McClellan, Alabama, met to review an audit of Dr. Simmons' professional activities as required in its previous order. After reviewing evidence, the Credentials Committee reached the following conclusions:

No improvement noted

2. Same type of deficiencies noted that existed when privileges were previously suspended.

3. Patients treated by this provider are at potential risk."

And the Committee took action to suspend the privileges of Dr. Simmons, to-wit:

"The Committee voted four yes and zero no to suspend privileges of Dr. Joseph Simmons based on the findings of the 100% medical records audit in which standards of care were not met."

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

CONCLUSIONS OF LAW

1. That Joseph B. Simmons, M.D., holding Oklahoma Medical License No. 16721, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1991, Sec. 509, Paragraphs 13 and 16, to-wit:

"13. Violation of prescribing or administering a drug or treatment without sufficient examination and the establishment of a valid physician-patient relationship."

"16. Inability to practice medicine with reasonable skill and safety to patients by reason of age, illness, drunkenness,

excessive use of drugs, narcotics, chemicals,
or any other type of material or as a result
of any mental or physical condition."

ORDER

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

1. That the medical license of Defendant, Joseph B. Simmons, M.D., holding Oklahoma Medical License No. 16721, should be and the same is hereby REVOKED.
2. That Defendant should receive written copy of this Order as soon as it is processed.

DATED this 9 day of July, 1992.

Gerald C. Zumwalt, M.D.
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.
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 13 day of July, 1992, to:

JOSEPH B. SIMMONS, M.D.
PO Box 1290
805 West 23 St. North
Claremore OK 74017

Janet L Owens