

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

RICHARD L. LOCKWOOD, M.D.
Medical License No. 17165,

CASE NO. 90-03-1037

Defendant.

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on June 9, 1990, 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 Richard L. Lockwood, M.D., Defendant, did not appear either in person or by representative.

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

FINDINGS OF FACT

1. That Defendant, Richard L. Lockwood, M.D., holds Oklahoma Medical License No. 17165.
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 the Citation was issued herein by the Secretary of the Oklahoma State Board of Medical Licensure and Supervision on or around May 3, 1990, and sent by certified mail, return receipt requested, Article No. P-777-475-475. That the return receipt from the United States Post Office indicates that it was received by the Defendant on May 7, 1990, and that the Defendant acknowledged receipt by his signature.
4. Since the date of service of process neither the Defendant, nor anyone on his behalf, has contacted either the Board counsel or any Board staff member to make any arrangements or provide for disposition of this matter.
5. That on or around January 15, 1990, Defendant began serving as a Locum Tenens Anesthesiologist at Jane Phillips Episcopal Memorial Medical Center, Bartlesville, Oklahoma.
6. That on or around February 8, 1990, the Jane Phillips Episcopal Memorial Medical Center requested the Defendant to stop delivering anesthetics to patients and to undergo a medical evaluation.

7. That during his time at the Jane Phillips Hospital there were instances when Defendant had patients on the operating table undergoing surgery with general anesthesia, and the Defendant "appeared very sleepy and was unsteady...I had to keep touching or talking to him to keep him awake...the circulator had to keep waking him up and he was unable to write on the anesthesia record."

8. That Defendant underwent a medical examination by Lawrence H. Roe, Jr., M.D., Diplomat, American Board of Internal Medicine, whose report states in part, "At his (Dr. Lockwood's) request, I am not able to share any results from the work up that was obtained...Until the cause of his impairment is adequately defined and addressed, I do not feel that he is capable to carry out his professional duties, specifically, I do not feel that he should be giving anesthesia."

9. That while working as a Locum Tenens Anesthesiologist at Memorial Medical Center of East Texas, Lufkin, Texas, Defendant experienced similar problems with falling asleep while giving anesthesia to patients and that, "Dr. Lockwood developed a pattern of behavior that led the hospital management to ask him to undergo physical examination to include testing for substance abuse. He resigned rather than submitting to an examination."

CONCLUSIONS OF LAW

1. That Richard L. Lockwood, M.D., holding Oklahoma Medical License No. 17165, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, Sec. 509, Paragraphs 5, 10, and 16, to-wit:

"5. Habitual intemperance or the habitual use of habit-forming drugs."

"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...Proof of the commission of the act while in the practice of medicine or under the guise of the practice of medicine shall be unprofessional conduct."

"16. The 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."

2. That Richard L. Lockwood, M.D., is in violation of the Rules and Regulations promulgated by this Board, specifically Section X, Rule 3, to-wit:

"Rule 3: The habitual or excessive use of any drug which impairs the ability to practice medicine with reasonable skill and safety to the patient."

ORDER

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

1. That the license of the Defendant, Richard L. Lockwood, M.D., holding Oklahoma Medical License No. 17165, should be and is hereby REVOKED.

2. That a copy of this Order should be provided to the Defendant at his last known address as soon as possible by the Board staff.

DATED this 21st day of June, 1990.

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

~~APPROVED AS TO FORM:~~

Daniel J. Gamino
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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 22 day of June, 1990, to:

RICHARD L. LOCKWOOD, M.D.
1404 Missouri
Houston, TX 77006

Janet L Owens