

IN AND BEFORE THE OKLAHOMA STATE BOARD
OF MEDICAL LICENSURE AND SUPERVISION

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel.,)
OKLAHOMA BOARD OF)
MEDICAL LICENSURE AND)
SUPERVISION,)
)
Plaintiff,)
vs.) CASE NO. 95-05-1696
)
PIERRE LeBAUD, M.D.,)
Medical License No. 17183,)
)
Defendant.)

FINAL ORDER

This cause came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision en banc on July 25, 1997, 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 Pierre LeBaud, M.D., Defendant appeared in person, along with legal counsel Richard Mildren, Oklahoma City, Oklahoma, and Tom Hadley, Antlers.

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

FINDINGS OF FACT

1. That Defendant, Pierre LeBaud, M.D., holds Oklahoma Medical License No. 17183.
2. That the 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 the law and the rules of the Board.
3. That there was clear and convincing evidence to show that on or around January 17, 1995, the Comanche County Memorial Hospital Board of Trustees, following Notice and due process evidentiary hearing, did revoke all of Defendant's hospital staff privileges.

4. That there was clear convincing evidence that the action of the Comanche County Memorial Hospital duly reported to the National Practitioner Data Bank and summarized as follows, to-wit:

“That the Board of Trustees revoked all of Dr. Pierre LeBaud’s privileges after an internal peer review investigation and hearing which established a clear pattern of Dr. LeBaud failing to exercise appropriate judgment in selecting those procedures which he was competent to perform and failing to recognize his lack of competence while continuing such procedures.”

5. That there was clear and convincing evidence to show that in making application for licensure in Oklahoma Defendant failed and refused to disclose to the Oklahoma Board that he was previously the subject of disciplinary action by jurisdictional agency or hospital or named as a Defendant in a civil suit in that Defendant did not disclose (1) the results of the meeting of the Credentials Committee of the Chaleur Regional Hospital of September 5, 1996, and the Committee recommendation as to the Defendant; (2) the results of a Civil Court action heard January 26, 1987, in the Court of Queens Bench of New Brunswick filed by Defendant against Chaleur Hospital, et al; and (3) the results of the Court of Appeals of New Brunswick decided November 13, 1987, filed by Chaleur Regional Hospital, et al, against the Defendant.

6. That there was clear and convincing evidence to show that since his original Oklahoma licensure Defendant was named in a series of legal malpractice actions and claims, and those cases and claims raise additional questions of the Defendant’s clinical competence.

7. That in order to protect public health, safety and welfare, a formal Letter of Reprimand should issue to Defendant LeBaud. Further, Defendant LeBaud should be encouraged to continue under monitoring by Peer Review Committee and encouraged to successfully complete continuing medical education in his field.

CONCLUSION OF LAW

1. That pursuant to the authority of the Oklahoma Medical Practice Act, 59 O.S. Supp. 1996, Sec. 509.1, the Board may direct the issuance of a Letter of Reprimand based on evidence in the record proved by clear and convincing evidence.

ORDER

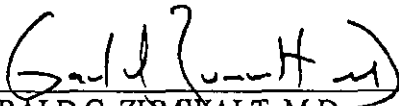
IT IS THEREFORE ORDERED by the Oklahoma Board of Medical Licensure and Supervision as follows:

1. That the Defendant, Pierre LeBaud, M.D., holding Oklahoma Medical License No. 17183, should receive a formal Letter of Reprimand.

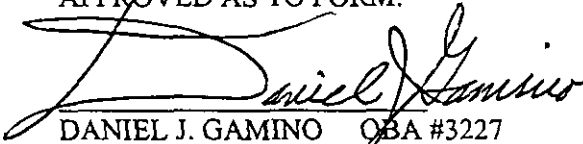
2. That Defendant LeBaud should be and is hereby encouraged to continue under monitoring by Peer Review Committee and encouraged to successfully complete continuing medical education in his field.

3. That a copy of this written Order should be provided to Defendant LeBaud and his legal counsel so their record is complete.

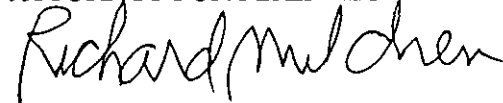
DATED this 13 day of August, 1997.


GERALD C. ZUMWALT, M.D.,
Secretary/Treasurer
Oklahoma Board of Medical Licensure
and Supervision

APPROVED AS TO FORM:



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Antlers, OK 74523

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this 14 day of August, 1997, to:

RICHARD A. MILDREN
Riggs, Abney, Neal, Turpen,
Orbison & Lewis
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