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.) BRYAN A. VAN DOREN, M.D.) CASE NO. 89-05-878 Medical License No. 17313,)

Defendant.

ORDER TO REDUCE LEVEL OF PROBATION FROM LEVEL I TO LEVEL II

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This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on February 28, 1992, 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 Bryan A. Van Doren, M.D., Defendant, appeared in person, pro se, waived his right to counsel and agreed to proceed without counsel.

The Board of Medical Licensure and Supervision en banc took sworn 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, Bryan A. Van Doren, M.D., holds Oklahoma Medical License No. 17313.

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 following notice and hearing on May 19, 1990, Defendant was placed on probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of five (5) years from July 3, 1989, under certain enumerated terms and conditions.

4. That Defendant is in general compliance with those terms and conditions.

5. That the Defendant filed application to reduce the level of probation from Level I to Level II and the Board found that there was sufficient evidence to allow that reduction in level of probation, but that all other terms and conditions of probation should remain in full force and effect.

CONCLUSIONS OF LAW

1. That the Board has lawful jurisdiction over the Defendant pursuant to the Oklahoma Medical Practice Act, 59 O.S. Supp. 1990, Sec. 481 et seq.

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

1. That the Defendant, Bryan A. Van Doren, M.D., holding Oklahoma Medical License No. 17313, should be reduced in the level of probation from Level I to Level II.

2. That the Defendant, Bryan A. Van Doren, M.D., holding Oklahoma Medical License No. 17313, should be continued on probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of five (5) years from July 3, 1989, under the following terms and conditions:

- (a) During the period of probation Defendant will not prescribe, administer or dispense any medications for his personal use, to specifically include controlled dangerous substances.
- (b) During the period of probation Defendant will take no medication except that which is authorized by a physician treating him for a legitimate medical need. Defindant has an affirmative duty to inform any physician treating him of Defendant's previous use of alcohol and controlled dangerous substances.
- (c) During the period of probation Defendant will abstain from consuming alcohol or any substance, licit or illicit, specifically including but not limited to controlled dangerous substances, which would adversely affect his ability to practice medicine or surgery as interpreted by the Oklahoma State Board of Medical Licensure and Supervision.
- (d) During the period of probation Defendant will submit biological fluid specimens to include, but not limited to, blood and urine, for analysis, upon request of any investigator or other agent representing the Oklahoma State Board of Medical Licensure and Supervision, and Defendant will pay for testing and analysis of those specimens.
- (e) 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.
- (f) That Defendant shall appear before the Board or a designated member thereof whenever requested to do so.
- (g) 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.
- (h) Pursuant to Title 59 O.S. Sec. 506, Defendant shall promptly pay within 30 days of receipt of invoice from 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.

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- (i) During the period of probation Defendant will continue active participation in support programs operated through the Physician Recovery Committee of the Oklahoma State Medical Association.
- (j) 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.
- (k) 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.

and Supervision

DATED this 5 day of March , 1992.

GERALD C. ZUMWALT M.D. Secretary State Board of Medical Licensure

PROVED AS TO FORM: DANIEL J. GAMINO ORA.

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 \underline{Q} day of \underline{Mann} , 1992, to:

BRYAN A. VAN DOREN, M.D. 1801 Ryan Way Edmond, OK 73034

Janet & Owins