

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

FILED

APR 26 2013

IN THE MATTER OF THE)
APPLICATION OF)
BRYAN ANDREW VAN DOREN, M.D.,)
FOR REINSTATEMENT OF OKLAHOMA)
MEDICAL LICENSE NO. 17313)

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 98-12-2048

**CORRECTED ORDER GRANTING THE LIFTING OF THE
ONE YEAR RESTRICTED LICENSE
UNDER TERMS OF INDEFINITE PROBATION**

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision ("Board") on November 8, 2012, at the Board office, 101 N.E. 51st Street, Oklahoma City, Oklahoma 73105, pursuant to notice given as required by law and rules of the Board.

Defendant, Bryan Andrew Van Doren, M.D., appeared in person and through counsel, Daniel Gamino.

The Board *en banc* heard testimony and being fully apprised of the premises, entered the following Findings of Fact, Conclusions of Law and Orders:

FINDINGS OF FACT

1. The Board *en banc* has jurisdiction over the subject matter herein, and notice has been given in all respects as required by law and the rules of the Board.
2. Defendant, Bryan A. Van Doren, M.D., holds Oklahoma license no. 17313.
3. On May 9, 1990, Defendant entered into a Voluntary Submittal to Jurisdiction whereby he was granted a special license to practice in the state of Oklahoma and placed on probation for a period of five (5) years beginning July 3, 1989, due to prior substance abuse.
4. On May 24, 1990, Defendant was granted a full medical license under the five (5) year probation previously set forth in the May 9, 1990 Voluntary Submittal to Jurisdiction.
5. On July 3, 1994, Defendant's probation was terminated.
6. On or about March 9, 2000, Defendant entered into a Voluntary Submittal to Jurisdiction whereby he was suspended for a period of sixty (60) days, followed by indefinite probation under certain terms and conditions.

7. On or about March 9, 2006, the State filed its Complaint against Defendant based upon substance abuse and violation of his probation in this regard.

8. On or about November 3, 2006, the Board accepted Defendant's Voluntary Surrender of License in Lieu of Prosecution.

9. On or about November 11, 2011, the Board according to *Order Granting One Year Restricted License Under Terms of Probation* granted the Defendant a **RESTRICTED** license for a period of **ONE (1) YEAR** and only allowed him to practice at the University of Oklahoma/Tulsa Addiction Medicine Fellowship Program. Furthermore, the restricted license was reinstated according to terms and conditions of **PROBATION**.

10. Defendant is now seeking to have the **ONE (1) YEAR RESTRICTION** lifted from his Oklahoma medical license no. 17313; and be placed on indefinite probation with the ability to reapply for registration with the Oklahoma State Bureau of Narcotics and Dangerous Drugs and the United States Drug Enforcement Administration.

CONCLUSIONS OF LAW

1. The Board has jurisdiction to reinstate the license of a physician pursuant to *Okla. Stat. tit. 59, §508.1*.

2. The Board may impose practice parameters and other restrictions as necessary to protect the health, safety and welfare of the public under *Okla. Stat. tit. 59, §480 et seq.*

ORDER

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

1. The Defendant's one (1) year restriction on his Oklahoma medical license no. 17313 is lifted and he may reapply for registration with the Oklahoma State Bureau of Narcotics and Dangerous Drugs and the United States Drug Enforcement Administration.

2. The Defendant's restricted medical license shall be reinstated under the following terms and conditions of **INDEFINITE PROBATION**:

A. Defendant will conduct his practice in compliance with the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act as interpreted by the Oklahoma State Board of Medical Licensure and Supervision. Any question of interpretation regarding said Act shall be submitted in writing to the Board and no action based on the subject of the question will be taken by Defendant until clarification of interpretation is received by Defendant from the Oklahoma State Board of Medical Licensure and Supervision.

B. Upon request of the Board Secretary, Defendant will request all hospitals in which he anticipates practicing to furnish to the Board Secretary of the Oklahoma State Board of Medical Licensure and Supervision a written statement regarding monitoring of his practice while performing services in or to that hospital.

C. Defendant will furnish to each and every state in which he holds licensure or applies for licensure and hospitals, clinics or other institutions in which he holds or anticipates holding any form of staff privilege or employment, a copy of the Board Order stipulating sanctions imposed by the Oklahoma State Board of Medical Licensure and Supervision.

D. Defendant will not supervise allied health professionals that require surveillance of a licensed physician.

E. Defendant will not prescribe, order, administer, dispense or possess any drugs in Schedules II through V until he receives permits from the OBN and the DEA.

F. Defendant shall execute a contract with the Oklahoma Health Professionals Recovery Program.

G. Defendant will submit biological fluid specimens to include, but not limited to, blood and urine, as well as hair follicles, for analysis, upon request of the Oklahoma State Board of Medical Licensure and Supervision or its designee, and Defendant will pay for the analysis thereof.

H. Defendant will not prescribe, administer or dispense any medications for personal use or for that of any family member.

I. Defendant will take no medication except that which is authorized by a physician treating him for a legitimate medical need. Defendant has the affirmative duty to inform any and every doctor treating him of the Board Order immediately upon initiation, or continuation of treatment.

J. Defendant will have the affirmative duty not to ingest any substance, including but not limited to alcohol, which will cause a body fluid sample to test positive for prohibited substances.

K. Defendant will abide by the terms and recommendations of the Oklahoma Health Professionals Recovery Program. Defendant will authorize in writing the release of any and all records of that treatment to the Oklahoma State Board of Medical Licensure and

Supervision and will authorize the Compliance Consultant to the Board to discuss his case and treatment with the individuals providing Defendant's treatment.

L. Defendant will attend five (5) meetings per week of a local 12-step program, to include the weekly Health Professionals Recovery Program meetings.

M. Defendant shall obtain a primary care physician for his primary care health needs to be approved in advance in writing by the Board Secretary.

N. Defendant shall promptly notify the Board of any relapse, including any entry, or re-entry, into a treatment program for substance abuse.

O. Defendant shall promptly notify the Board of any citation or arrest for traffic or for criminal offenses involving substance abuse.

P. Defendant will keep the Oklahoma State Board of Medical Licensure and Supervision informed of his current address.

Q. Defendant will keep current payment of all assessments by the Oklahoma State Board of Medical Licensure and Supervision for prosecution, investigation and monitoring of his case, which shall include but is not limited to a one hundred fifty dollar (\$150.00) per month fee during the term of probation, unless Defendant affirmatively obtains a deferment of all or part of said fees upon presentation of evidence that is acceptable to the Board Secretary.

R. Until such time as all indebtedness to the Oklahoma State Board of Medical Licensure and Supervision has been satisfied, Defendant will reaffirm said indebtedness in any and all bankruptcy proceedings.

S. Defendant shall make himself available for one or more personal appearances before the Board or its designee upon request.

T. Defendant shall submit any required reports and forms on a timely, accurate and prompt basis to the Compliance Coordinator or designee.

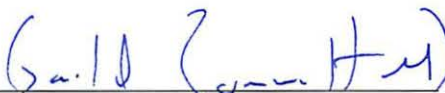
4. During the period of probation, failure to meet any of the terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke

Defendant's license after due notice and hearing.

5. Defendant's license will be reinstated only upon payment in full of all costs and expenses incurred by the State of Oklahoma.

6. A copy of this written order shall be sent to Defendant as soon as it is processed.

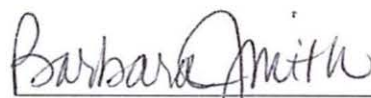
Dated this 26 day of April, 2013.



Gerald C. Zumwalt, M.D., Secretary
Oklahoma State Board of Medical
Licensure and Supervision

Certificate of Mailing

On the 26th day of April, 2013, a true and correct copy of this order was mailed, postage prepaid, to Bryan Andrew Van Doren, 7531 S. Trenton Place, Tulsa, OK 74136 and to Daniel Gamino, 3315 N.W. 63rd Street, Oklahoma City, OK 73116.



Barbara J. Smith, Legal Assistant