

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

STATE OF OKLAHOMA

FILED

STATE OF OKLAHOMA, ex rel.)
OKLAHOMA STATE BOARD OF)
MEDICAL LICENSURE AND)
SUPERVISION,)
)
Plaintiff,)
)
v.)
)
KURT D. BOTTLES, M.D.)
Medical License No. 17375,)
)
Defendant.)

MAY 19 1994

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

CASE NO. 92-05-1366

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on May 13 and 14, 1994, 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 Kurt D. Bottles, M.D., Defendant, appeared in person, and by and through legal counsel, D.C. Thomas, Attorney at Law, Suite 504, Bank of Oklahoma Plaza, Oklahoma City, OK 73102.

That the Oklahoma Board of Medical Licensure and Supervision en banc heard testimony, reviewed exhibits and being fully advised in the premises, the Oklahoma Board finds and orders as follows:

FINDINGS OF FACT

1. That Defendant, Kurt D. Bottles, M.D., holds Oklahoma Medical License No. 17375.
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 Defendant's Motion to Dismiss this Case, or in the Alternative to Enforce Agreement Between Dr. Bottles' Attorney and Dan Gamino and Carole A. Smith should be overruled.
4. That during 1990 and 1991, the Defendant did improperly handle minor female patient J.S., and did pursue a sexual relationship with minor female patient J.S. for several months outside of a lawful physician-patient relationship.
5. That the unprofessional acts of the Defendant included, but were not limited to, (1) following J.S. when J.S. went out with other friends; (2) Defendant gave J.S. a series of suggestive greeting cards; and (3) Defendant made numerous telephone calls to the home of patient J.S., sometimes up to three times a day.
6. That Defendant is perpetuating significant harm to public health, safety and welfare by the acts and omissions set forth in the above allegations.

CONCLUSIONS OF LAW

1. That Kurt D. Bottles, M.D., holding Oklahoma Medical License No. 17375, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1991, Sec. 509, Paragraph 9, to-wit:

"9. Dishonorable or immoral conduct which is likely to deceive or defraud the public."

ORDER


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

1. That Defendant's Motion to Dismiss this Case, or in the Alternative to Enforce Agreement Between Dr. Bottles' Attorney and Dan Gamino and Carole A. Smith, should be and the same is hereby OVERRULED.

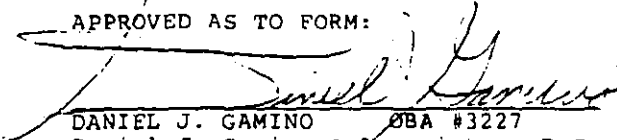
2. That Oklahoma Medical License No. 17375 of the Defendant, Kurt D. Bottles, M.D., should be and the same is hereby REVOKED.

3. That Defendant legal counsel should receive a copy of this Order as soon as it is processed so his file is complete.

DATED this 11 day of May, 1994.


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

APPROVED AS TO FORM:


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 30 day of May, 1994, to:

D.C. THOMAS
Attorney at Law
504 Bank of Oklahoma
Oklahoma City, OK 73102

DANIEL J. GAMINO