# 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.	)			
DOUGLAS HUGH CORNELIUS, S.M.D. Certificate No. 1992,	) )	CASE	NO.	90-08-1101
Defendant.	)			

#### ORDER IMPOSING TERMS OF PROBATION

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on September 1, 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 Douglas Hugh Cornelius, S.M.D., Defendant, appeared by announcement in the form of a Voluntary Submittal to Jurisdiction that he had previously executed on or around August 17, 1990.

The Oklahoma Board of Medical Licensure and Supervision en banc heard testimony, 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, Douglas Hugh Cornelius, S.M.D., is an applicant for licensure in Oklahoma as a physician and surgeon.
- 2. That Defendant, Douglas Hugh Cornelius, S.M.D presently holds S.M.D. Certificate No. 1992.
- 3. 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.
- 4. That after meeting with the Board staff Defendant did review and sign Voluntary Submittal to Jurisdiction on or around August 17, 1990, wherein Defendant agreed to begin a five-year probation under enumerated terms and conditions.
- 5. That upon the issuance of an Oklahoma medical license, Defendant should be placed on a five-year probation under the terms and conditions agreed upon in the Voluntary Submittal to Jurisdiction.

## CONCLUSIONS OF LAW

1. That the Defendant did meet requirements of the Oklahoma Medical Practice Act, 59 O.S. Supp. 1989, Sec. 481 et seq., and rules and regulations for licensure in Oklahoma as a physician and surgeon, and that said granting of a license should be accompanied by probation imposed herein.

#### ORDER

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

- 1. That licensure in Oklahoma as a physician and surgeon should be and is hereby GRANTED to Douglas Hugh Cornelius, S.M.D., and that said licensure should be under the following terms and conditions.
- 2. That the Defendant, Douglas Hugh Cornelius, S.M.D., should be and is hereby placed on probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of five years, beginning September 1, 1990, under the following terms and conditions:

That 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. Defendant has an affirmative duty to advise any physician treating him of Defendant's previous alcohol abuse.

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.

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.

During the period of probation Defendant will continue regular attendance and participation in either Alcoholics Anonymous or meetings of the OSMA Physician Recovery Committee or similar organizations and said Defendant shall report periodically when requested by the Board or Board representative on his proof of attendance and shall continue all supportive programs recommended thereby.

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) Defendant shall appear before the Board en banc or a designated member thereof whenever requested to do so.

During the period of probation Defendant will submit to the Investigative Division of the Oklahoma State Board of Medical Licensure and Supervision any required reports and forms on a timely and prompt basis.

Pursuant to Section 26, H.B. 1478, 1987 Legislature, Defendant shall promptly pay upon receipt of invoice from the

Investigation Division of the Board the cost of investigation, prosecution and probation of this case.

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 Voluntary Submittal to Jurisdiction and supply a copy thereof.

That violation of any of the terms and conditions of probation shall be grounds for additional charges to be presented to the Board after due notice to the Defendant.

- 3. That the jurisdiction of the Board in this individual proceeding will continue in this matter until the terms and conditions of probation are modified or withdrawn by the Oklahoma State Board of Medical Licensure and Supervision, either on their own motion or on the motion of the Defendant.
- 4. The Defendant further agrees that failure to meet any of the above terms of probation will constitute cause for the staff of the Board to initiate additional proceedings to suspend or revoke Defendant's Oklahoma medical license, and/or S.M.D. license, after additional due notice and hearing.

DATED this 13 day of September, 1990.

> 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 17 day of September, 1990, to:

DOUGLAS HUGH CORNELIUS 2333 Windson Way

Bartleville OK 74006

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