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

FILED
MAR 27 2015
OKLAHOMA STATE BOARD OF MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA EX REL. THE OKLAHOMA STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION,	)	
Plaintiff,	)	
v.	)	**Case No. 12-07-4572**
TAMERLANE ROZSA, M.D. LICENSE NO. 17499	)	
Defendant.	)	

RESPONSE BRIEF OPPOSING
REQUEST FOR EMERGENCY EXTENSION OF TIME

1. State of Oklahoma opposes Dr. Rozsa's requested relief. She offers not a single legally cognizable basis for why the emergency hearing of this matter should be moved. As demonstrated by the Verified Complaint filed in the above captioned matter, the health, safety and welfare of the public must be protected. Dr. Rozsa refused to execute an agreement not to practice on two separate occasions. The State made its best efforts to avoid an emergency hearing and attempt to reach a mutual understanding with Dr. Rozsa. The only method available to the State to protect the public from Dr. Rozsa's grossly negligent and dangerous practices is by way of an emergency hearing to determine if her license to practice medicine should be suspended pending full consideration of this matter by the Board *en banc*.

2. Dr. Rozsa has not indicated either expressly or implicitly any desire to immediately cease her dangerous practices. The Affidavit for Emergency Extension of Time pleads merely that thirty (30) days are required to prepare a defense. Dr. Rozsa has the opportunity to present her full defense to the Board *en banc* on the time date and place stated in the Citation served upon her contemporaneously with the Complaint. As such the basis for the relief is a *non sequitur*.

The affidavit further relies upon uncited authority, apparently permitting an extension of time where good cause is shown. *See* Affidavit at ¶ 1. The rules of the district court do not apply to this proceeding. No Board rule permits the relief requested.

3. The emergency hearing set for Monday, March 30, 2015, at 1:00 p.m. is to determine solely whether Dr. Rozsa's license to practice medicine should be suspended pending disposition of this proceeding. By its very nature, a request for an extension of time, absent extraordinary or fantastic circumstances, is inappropriate. The affidavit presents neither extraordinary nor fantastic assertions warranting the extraordinary relief requested. The request should be denied accordingly.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on 27 March 2015, the above and foregoing instrument was served via regular U.S. mail and U.S. certified mail to the following recipients:

Dr. Tamerlane Rozsa, M.D.
2301 South Sheridan Road
Tulsa, Oklahoma 74129

Nancy Thiemann, Legal Secretary