

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,

GARY CHARLES HASSMANN, M.D.  
Medical License No. 17579,

CASE NO. 90-10-1133

Defendant.

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on February 1, 1991, 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 Gary Charles Hassmann, M.D., Defendant, appeared in person, pro se, waived his right to counsel, and announced ready to proceed.

The Board of Medical Licensure and Supervision en banc heard the oral argument of counsel, 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, Gary Charles Hassmann, M.D., is an applicant for Oklahoma medical licensure as a physician and surgeon.
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 in addition to hearing testimony and reviewing exhibits, the Board reviewed a Voluntary Submittal to Jurisdiction that was discussed in principle between the Board Secretary and applicant Hassmann prior to the Board meeting.
4. That the Board found the applicant should be licensed and that the applicant should execute Voluntary Submittal to Jurisdiction and the terms and conditions therein were an appropriate disposition for the case and accepted same, with the addition that during the period of probation Defendant would not prescribe, administer or dispense any legend drugs until the applicant appeared again before the Board and obtained permission for same.

CONCLUSIONS OF LAW

1. That the Oklahoma Board of Medical Licensure and Supervision has jurisdiction over this matter pursuant to the Oklahoma Medical Practice Act, 59 O.S. Supp. 1990, Section

481 et seq., and by the Voluntary Submittal to Jurisdiction to be executed by the Defendant.

ORDER

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

1. That the Defendant, Gary Charles Hassmann, M.D., holding Oklahoma Medical License No. 17579, should be and is hereby placed on a term of probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of five (5) years beginning on February 1, 1991, under the following terms and conditions:

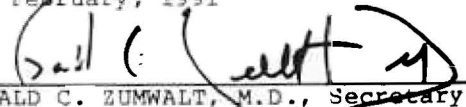
- (a) During the period of probation Defendant will not prescribe, administer or dispense any schedule drugs or controlled dangerous substances.
- (b) During the period of probation Defendant will not prescribe, administer or dispense any medications for his personal use, to specifically include controlled dangerous substances.
- (c) During the period of probation Defendant will not prescribe, administer or dispense any legend drugs until Defendant appears before the Board and obtains permission therefor.
- (d) 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, and Defendant shall have an affirmative duty to inform any physician treating him of Defendant's previous use of controlled dangerous substances.
- (e) During the period of probation Defendant will abstain from consuming alcohol or any substance, 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.
- (f) 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.
- (g) That the Defendant will take the Special Purpose Examination (SPEX) at the next time it is offered and report his score to the Oklahoma Board.
- (h) That the Defendant shall complete 50 hours of Class 1 Continuing Medical Education each year of his probation and submit proof of successful completion of that CME to the Board Secretary.
- (i) That the Defendant shall not perform any surgery or surgical procedures until further order of the Board.

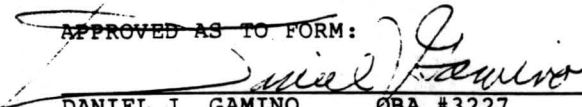
- (j) During the period of probation Defendant will furnish to the office of the Oklahoma State Board of Medical Licensure and Supervision all current legal addresses and any change of address in writing.
- (k) Defendant shall appear before the Board or a designated member thereof whenever requested to do so.
- (l) 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.
- (m) Pursuant to Section 26, H.B. 1478, 1987 Legislature, Defendant shall promptly pay within 30 days of receipt of invoice from the Investigation Division of 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.
- (n) 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 Final Order and supply a copy thereof.
- (o) 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.

2. 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.

3. 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, after additional due notice and hearing.

DATED this 21 day of February, 1991

  
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 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 25 day of February, 1991, to:

GARY CHARLES HASSMANN, M.D.  
3207 Riverside Drive  
Tulsa, OK 74105

Gary C. Hassmann