

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

**STATE OF OKLAHOMA  
EX REL. THE OKLAHOMA BOARD  
OF MEDICAL LICENSURE  
AND SUPERVISION,**

**Plaintiff,**

**v.**

**RICHARD DAVID ZUJKO, M.D.,  
LICENSE NO. 17580**

**Defendant.**

**RECEIVED**

JUL 29 2004

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE  
AND SUPERVISION

**Case No. 04-05-2806**

**FINAL ORDER OF REVOCATION**

This cause came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the "Board") on July 29, 2004, at the office of the Board, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Elizabeth A. Scott, Assistant Attorney General, appeared for the plaintiff and defendant appeared not.

The Board *en banc* after hearing arguments of counsel and reviewing the exhibits admitted, and being fully advised in the premises, found that there is clear and convincing evidence to support the following Findings of Fact, Conclusions of Law and Orders:

***Findings of Fact***

1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physicians and surgeons in the State of Oklahoma pursuant to 59 Okla. Stat. §480 *et seq.*

2. The Board has jurisdiction over this matter, and notice has been given in all respects in accordance with law and the rules of the Board.

3. Defendant, Richard David Zujko, holds Oklahoma license no. 17580.

4. On or about February 2, 2004, the Board of Registration for the Healing Arts for the State of Missouri and the Defendant entered into a Settlement Agreement whereby Defendant's medical license was **REVOKED**. The Missouri Board further ordered that Defendant could not apply for reinstatement in Missouri for a minimum of seven (7) years. The discipline imposed by Missouri was based upon Defendant's care and treatment of twelve (12) patients where there were adverse medical liability claim settlements. Defendant additionally admitted that he was not currently capable of practicing medicine with reasonable skill and safety.

5. On or about February 2, 2004, the Kansas State Board of Healing Arts and the Defendant entered into a Consent Order whereby Defendant's medical license was **REVOKED**. The Kansas Board further ordered that Defendant could not apply for reinstatement in Kansas for three (3) years and that in the event he applies for reinstatement, the allegations contained in the Second Amended Complaint would be considered as findings of fact and conclusions of law. The discipline imposed by Kansas was based upon Defendant's care and treatment of eleven (11) patients where there were adverse medical liability claim settlements.

6. Defendant is guilty of unprofessional conduct in that he:
- A. Was subject to disciplinary action of another state or jurisdiction based upon acts or conduct by the licensee similar to acts or conduct that would constitute grounds for action as defined in this section pursuant to OAC 435:10-7-4(31).
  - B. Is physically or mentally unable to practice medicine and surgery with reasonable skill and safety in violation of OAC 435:10-7-4(17).

### *Conclusions of Law*

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act (the "Act") and its applicable regulations. The Board is authorized to enforce the Act as necessary to protect the public health, safety and welfare.

2. Defendant is guilty of unprofessional conduct in that he:
- A. Was subject to disciplinary action of another state or jurisdiction based upon acts or conduct by the licensee similar to acts or conduct that would constitute grounds for action as defined in this section pursuant to OAC 435:10-7-4(31).

- B. Is physically or mentally unable to practice medicine and surgery with reasonable skill and safety in violation of OAC 435:10-7-4(17).

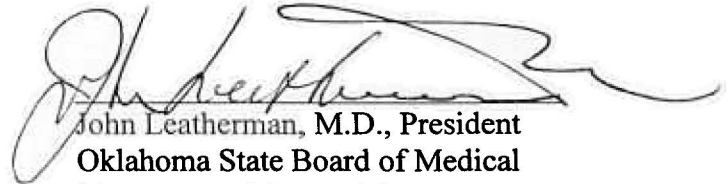
3. The Board further found that the Defendant's license should be revoked based upon any or all of the violations of the unprofessional conduct provisions of OAC Title 435:10-7-4 (17) and (31).

*Order*

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

1. The license of Defendant, Richard David Zujko, M.D., Oklahoma license no. 17580, is hereby **REVOKED** as of the date of this hearing, July 29, 2004.
2. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and costs, investigation costs, staff time, salary and travel expenses, witness fees and attorney's fees.

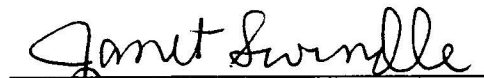
Dated this 29 day of July, 2004.



John Leatherman, M.D., President  
Oklahoma State Board of Medical  
Licensure and Supervision

**CERTIFICATE OF SERVICE**

I certify that on the 30 day of July, 2004, I mailed, via first class mail, postage prepaid, a true and correct copy of this Order to Richard David Zujko, 2138 N. Kansas Avenue, Liberal, KS 67901-2012.



Janet Swindle