

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.)
PAUL E. WHEELER, M.D.) CASE NO. 93-09-1544
Medical License No. 17806)
Defendant.)

VOLUNTARY SUBMITTAL TO JURISDICTION

COMES NOW the Defendant, PAUL E. WHEELER, M.D., the undersigned, and states that on this 22nd day of April, 1994, he is of sound mind and not under the influence of any medication or drug or impaired therefrom; that said Defendant does recognize his right to legal counsel and has waived his right to counsel and agreed to proceed; and being further advised of his right to appear before the Oklahoma Board of Medical Licensure and Supervision en banc for evidentiary hearing relating to the Complaint filed herein, does of his own volition and decision waive and forego his right to appear before the Oklahoma Board for full hearing; inasmuch as Defendant does believe that should he contest the allegations contained within the Complaint, there is adequate evidence for some disciplinary action to be taken against him and for that reason Defendant chooses not to contest those allegations and does hereby voluntarily, and of his own volition, submit to the jurisdiction of the Oklahoma State Board of Medical Licensure and Supervision insofar as it entails the following activities and restrictions:

1. That Defendant accepts and agrees to and does hereby begin a term of probation with the Oklahoma State Board of Medical Licensure and Supervision to begin on May 13, 1994, and to continue for a period of five (5) years under the following terms and conditions:

- (a) During the period of probation Defendant will not prescribe, administer or dispense any medications for his personal use, to

specifically include controlled dangerous substances and alcohol.

- (b) 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 alcohol and substance abuse.
- (c) 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.
- (d) During the period of probation Defendant has the affirmative duty to not engage in any activity or to ingest any medication or substance of any nature that will test positive for alcohol or any controlled dangerous substance.
- (e) 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.
- (f) During the period of probation Defendant shall furnish the Oklahoma Board of Medical Licensure and Supervision with monthly documentation of his regular attendance at A.A. meetings and the Physician's Recovery Committee Program meetings.
- (g) During the period of probation Defendant agrees to provide urine and blood samples upon random, unannounced visits by staff members of the Oklahoma Board of Medical Licensure and Supervision to his place of employment. In that regard, Defendant shall keep the Oklahoma Board fully informed of his work schedule at all times.
- (h) 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.
- (i) That Defendant shall appear before the Board or a designated member thereof or representative of the Board whenever requested to do so.
- (j) 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.
- (k) Pursuant to Title 59 O.S. Sec. 506, Defendant shall promptly pay within 30 days of receipt of invoice from 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.

- (l) During the period of probation the Defendant shall not supervise a Physician Assistant.
- (m) During the period of probation the 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.
- (n) That Defendant will conduct his practice in compliance with the Oklahoma Medical Practice Act as interpreted by the Oklahoma State Board of Medical Licensure and Supervision. Any question of interpretation regarding said Act shall be submitted in writing to the Board and no action based on the subject of the question will be taken by Defendant until clarification of the interpretation is received by Defendant from the Board.
- (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 jurisdiction of the Board in this individual proceeding will continue until the terms and conditions of probation are modified or lifted by the Oklahoma Board of Medical Licensure and Supervision on their own motion or on the motion of the Defendant.

3. The Defendant further agrees that failure to meet any of the above terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke Defendant's Oklahoma Medical License, after additional due notice and hearing.

I have read this instrument and understand same.

Paul Wheeler

PAUL E. WHEELER, M.D.
Medical License No. 17806

1994.

Subscribed and sworn to before me this 22nd day of April,

James A. Miller
Notary Public

My Commission expires:

2-4-96