

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

FILED

JAN 31 2002

IN THE MATTER OF)

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RICHARD F. ZIELINSKI, M.D.)

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Case No. 99-03-2076

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FOR MODIFICATION OF)
PROBATION TERMS FOR)
LICENSE NO. 18795)

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OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

ORDER MODIFYING PROBATION

This matter came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on January 17, 2002, at the Board office, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and rules of the Board.

Richard F. Zielinski, M.D., holding Oklahoma medical license no. 18795, appeared in person without counsel, thereby waiving his right to legal representation.

The Board sitting *en banc* after hearing testimony, reviewing the request and other materials presented, and being fully apprised of the premises, made the following Findings of Fact, Conclusions of Law and Orders:

FINDINGS OF FACT

1. The Board *en banc* has jurisdiction over the subject matter herein, and notice has been given in all respects as required by law and the rules of the Board.

2. Dr. Zielinski currently holds medical license no. 18795 under an indefinite term of probation that commenced July 22, 1999.

3. On May 3, 2001, Board Staff requested that paragraph N of the terms of Dr. Zielinski's probation be modified to provide as follows:

N. Defendant will practice in a controlled environment approved by the Board or its Designee. Defendant is not allowed to practice in an emergency room setting of any kind except as a consultant, as required by the residency program.

Dr. Zielinski and the Board staff's request to modify Defendant's probation was granted on May 10, 2001.

4. On December 6, 2001, Dr. Zielinski requested that his probation be modified to allow him to prescribe Class II non-narcotic substances on triplicate prescriptions.

5. Dr. Zielinski presented sufficient evidence to support the requested modification.

CONCLUSIONS OF LAW

1. The Board has jurisdiction to hear this matter pursuant to 59 O. S. § 480 *et seq.*

2. Dr. Zielinski has presented satisfactory evidence to justify allowing the modification to his probation to prescribe Class II non-narcotic substances on triplicate prescriptions.

ORDER

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


1. Dr. Zielinski's application to modify the terms of Dr. his probation is **GRANTED**.

2. Dr. Zielinski's probation shall continue indefinitely from the date of its commencement of July 22, 1999 under the terms and conditions set forth in the July 22, 1999 Voluntary Submittal to Jurisdiction and the May 10, 2001 Order Modifying Probation, with the exception that he be allowed to prescribe Class II non-narcotic substances on triplicate prescriptions.

3. Failure to meet any of the terms of this Order will be grounds for the Board to initiate proceedings to suspend or revoke Dr. Zielinski's medical license, after additional notice and hearing as required by law.

4. A copy of this written order should be sent to Dr. Zielinski as soon as it is processed.

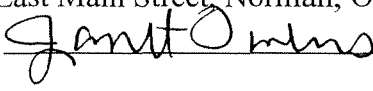
Dated this 31 day of January, 2002.



Gerald C. Zumwalt, M.D., Secretary
Oklahoma State Board of Medical
Licensure and Supervision

Certificate of Service

On the 1 day of ^{Feb} ~~January~~, 2002, a true and correct copy of this order was mailed, postage prepaid, to Richard F. Zielinski, M.D., 900 East Main Street, Norman, OK 73070.

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Janet Owens