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

FILED

MAR 2 2 2002

IN THE MATTER OF THE APPLICATION OF)		OKLAHOMA STATE BOARD OF MEDICAL LICENSURE & SUPERVISION
ROBERT MICHAEL WESTCOTT, M.D.)	Case No. 95-09-1758	
FOR MODIFICATION OF)		
PROBATION TERMS FOR)		
LICENSE NO. 18951)		

ORDER MODIFYING PROBATION

This matter came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on March 14, 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.

Applicant, Robert Michael Westcott, M.D., holding Oklahoma medical license no. 18951, 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. Westcott currently holds medical license no. 18951 under a five-year term of probation that commenced June 19, 1998.
- 3. On January 5, 2001, Dr. Westcott requested that the terms of his probation be modified to allow him to prescribe Schedule III, IV and V controlled dangerous drugs, that he be allowed to accept a position in Lindsey, Oklahoma, and that his probation expire January 1, 2004. Dr. Westcott presented sufficient evidence to support the requested modification, with the added requirement that he keep duplicate, serially numbered prescriptions of all controlled dangerous substances and addictive drugs readily retrievable, in numerical order and will furnish copies to investigators or other authorized agents of the Board immediately upon request.

- 4. On March 5, 2002, Dr. Westcott requested that the terms of his probation be modified to allow him to prescribe Schedule II medications to in-patients and emergency room in-patients, and that he be allowed to work in other locations with the prior approval of the Board Secretary.
 - 5 Dr. Westcott presented sufficient evidence to support the requested modification.

CONCLUSIONS OF LAW

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

Dr. Westcott has presented satisfactory evidence to justify allowing him to prescribe Schedule II medications to in-patients and emergency room in-patients, and that he be allowed to work in other locations with the prior approval of the Board Secretary.

ORDER

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

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

- Dr. Westcott's probation shall continue under the terms and conditions set forth 2. in the June 19, 1998 Order and the January 1, 2001 Order Modifying Probation, with the exception that Dr. Westcott be allowed to prescribe Schedule II medications to in-patients and emergency room in-patients, and that he be allowed to work in other locations with the prior approval of the Board Secretary.
- Failure to meet any of the terms of this Order will be grounds for the Board to 3. initiate proceedings to suspend or revoke Dr. Westcott's medical license, after additional notice and hearing as required by law.
- A copy of this written order should be sent to Dr. Westcott as soon as it is 4. processed.

Dated this 2 day of March, 2002.

Oklahoma State Board of Medical

Licensure and Supervision

Certificate of Service

On the 25 day of March, 2002, a true and correct copy of this order was mailed, postage prepaid, to Robert Westcott, M.D., 407 S.W. 4th, Lindsey, OK 73052.

Janet Owens