

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

FILED

JUL 25 2002

IN THE MATTER OF THE)
APPLICATION OF)

STEPHEN W. HEIMBACH, M.D.)

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

) Case No. 98-06-2001

FOR MODIFICATION OF)
PROBATION TERMS FOR)
LICENSE NO. 18991)

ORDER MODIFYING PROBATION

This matter came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on July 18, 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, Stephen W. Heimbach, M.D., holding Oklahoma medical license no. 18991, 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. Heimbach currently holds medical license no. 18991 under a five-year term of probation that commenced November 27, 2000.
3. On May 3, 2001, Dr. Heimbach requested that the terms of his probation be modified to allow him to apply for federal and state registrations for controlled dangerous substances and to authorize the administration of controlled dangerous drugs in Schedules II through V in an emergency room setting. The Board granted his requested modification.
4. On June 26, 2002, Dr. Heimbach requested that the terms of his probation be modified to allow him to order the dispensing of Tenuate-25, a Schedule IV controlled dangerous substance, while employed in the office of David Simpson, D.O.

5 Dr. Heimbach 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. Heimbach has presented satisfactory evidence to justify allowing him to order the dispensing of Tenuate-25, a Schedule IV controlled dangerous substance, while employed in the office of David Simpson, D.O.

ORDER

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

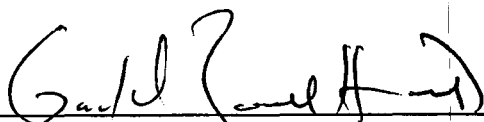
Dr. Heimbach's application to modify the terms of his probation is **GRANTED**.

2. Dr. Heimbach's probation shall continue for five (5) years from the date of its commencement of November 27, 2000 under the terms and conditions set forth in the November 27, 2000 Order, and the May 3, 2002 Order Modifying Probation, with the exception that Dr. Heimbach be allowed to order the dispensing of Tenuate-25, a Schedule IV controlled dangerous substance, while employed in the office of David Simpson, D.O.

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. Heimbach's medical license, after additional notice and hearing as required by law.

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

Dated this 25 day of July, 2002.



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

Certificate of Service

On the 25 day of July, 2002, a true and correct copy of this order was mailed, postage prepaid, to Stephen W. Heimbach, M.D., 14120 Osage Drive, Edmond, OK 73013.

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Janet Owens