

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

FILED

MAY 28 2010

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

IN THE MATTER OF THE )  
APPLICATION OF )

JEFFREY H. SCHIMANDLE )

Application No. 19233

FOR REINSTATEMENT OF )  
MEDICAL LICENSE NO. 19233 )  
)

**ORDER DENYING REINSTATEMENT OF  
MEDICAL LICENSE**

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision on May 20, 2010, at the Oklahoma State Medical Association, 313 N.E. 50<sup>th</sup> Street, Oklahoma City, Oklahoma 73105, pursuant to notice given as required by law and rules of the Board.

Jeffrey H. Schimandle, Applicant, appeared in person and through counsel, Lindsey W. Andrews and M. Eileen Echols.

Elizabeth A. Scott, Assistant Attorney General, appeared on behalf of the State of Oklahoma, ex rel. the Oklahoma State Board of Medical Licensure and Supervision.

The Board *en banc* reviewed the exhibits presented, and being fully apprised of the premises, entered the following Findings of Fact, Conclusions of Law, and Orders:

***FINDINGS OF FACT***

1. Applicant previously held Oklahoma Medical License No. 19233.
2. On November 4, 1999, the Board revoked Applicant's license for unprofessional conduct in violation of 59 O.S. §509(9) and (16), and OAC Title 435:10-7-4(11), (15), (18) and (40).
3. On November 9, 2001, Defendant applied for reinstatement of his medical license, which was denied by the Board.

4. On May 9, 2002, Applicant again applied for reinstatement of his medical license, which was denied by the Board based upon a finding that Applicant had not received any treatment for substance abuse since his revocation and the fact that he submitted fraudulent information on an employment application subsequent to his revocation.

5. On January 16, 2003, Applicant again applied for reinstatement of his medical license. At the hearing questions were raised regarding Applicant's repeated incidents of or pattern of dishonesty and his mental competency based upon prior diagnoses of Narcissistic Personality Disorder or Narcissistic Personality features. After reviewing the evidence and hearing arguments of counsel, the Board voted to reinstate Applicant's license under an indefinite term of probation.

6. Seconds after the Board voted to reinstate Applicant's license, Applicant leaned over to the State's attorney and whispered a sexually explicit obscenity to her. The State's attorney immediately advised the Board what Applicant had said, at which time Applicant lied to the Board when he denied making such a statement.

7. Based upon this incident, on February 28, 2003, the Board revoked Applicant's license for unprofessional conduct in violation of 59 O.S. §509 (9) and (16) and OAC 435:10-7-4 (8), (11), (17), (18), (23), (39) and (40).

8. On June 25, 2004, Applicant again applied for reinstatement of his medical license, which was denied based upon a finding that Applicant had not complied with certain Oklahoma laws.

9. On May 21, 2009, Applicant again applied for reinstatement of his medical license, which was denied based upon a finding that he had failed to sustain his burden of proof that he had met all requirements for reinstatement of his medical license at this time, including but not limited to the requirements that he was of good moral character, that he had the ability to practice medicine and surgery with reasonable skill and safety, and that he was physically, mentally, professionally, and morally capable of practicing medicine and surgery in a manner reasonably acceptable to the Board.

10. Applicant has again applied for reinstatement of his license.

11. 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.

### ***CONCLUSIONS OF LAW***

1. The Board has jurisdiction over the subject matter herein pursuant to 59 O.S. §480 et seq.

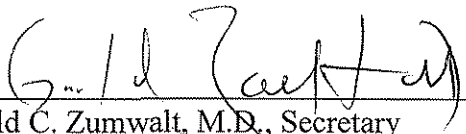
2. The Applicant has failed to sustain his burden of proof that he has met all requirements for reinstatement of his medical license at this time, including but not limited to the requirements that he be of good moral character, that he have the ability to practice medicine and surgery with reasonable skill and safety, and that he is physically, mentally, professionally, and morally capable of practicing medicine and surgery in a manner reasonably acceptable to the Board.

**ORDER**

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

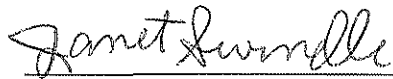
1. Applicant's request for reinstatement of his medical license shall be **DENIED**
2. A copy of this written order shall be sent to Applicant as soon as it is processed.

Dated this 28 day of May, 2010.

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

**Certificate of Service**

On the 28 day of May, 2010, a true and correct copy of this order was mailed, postage prepaid, to the Applicant, Jeffrey H. Schimandle, 5810 N. Pennsylvania Avenue, #206-B, Oklahoma City, OK 73112-7339 and to Lindsey W. Andrews and M. Eileen Echols, 1624 Greenbriar Place, Suite 600, Oklahoma City, OK 73159.

  
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Janet Swindle