

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

STATE OF OKLAHOMA)
EX REL. THE OKLAHOMA BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)

Plaintiff,)

v.)

Case No. 08-01-3433

DAVID RAY MITCHELL, M.D.,)
LICENSE NO. 19340)

Defendant.)

ORDER TERMINATING PROBATION

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision on September 13, 2012, at the office of the Board, 101 N.E. 51st Street, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Defendant, David Ray Mitchell, M.D., appeared in person and pro se.

Lyle Kelsey appeared on behalf of the State of Oklahoma, ex rel. the Oklahoma State Board of Medical Licensure and Supervision.

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

Findings of Fact

1. Defendant has submitted a motion requesting his probation be terminated, relating to his Oklahoma medical license no. 19340.

2. 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.

3. On November 6, 2008, this matter came before the Board *en banc* resulting in a Final Order of Suspension and Probation. The terms included a suspension for six months and probation for a period of five (5) years. Defendant was ordered to enter into a contract with the Health Professionals Recovery Program, his practice was restricted to the prison setting, a licensed

assistant was required to accompany Defendant with patient encounters, in addition to other requirements set forth in the Final Order of Suspension and Probation.

4. Defendant is now requesting that his probation be terminated prior to the expiration of the five year term.

CONCLUSIONS OF LAW

1. The Board has jurisdiction to reinstate the license of a physician pursuant to 59 O.S. §508.1.

2. The Board may impose practice parameters and other restrictions as necessary to protect the health, safety and welfare of the public under 59 O.S. §480 *et seq.*


ORDER

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

1. The order of probation is terminated and Defendant's medical license shall be re-instated with no restrictions.

2. A copy of this written order shall be sent to Defendant as soon as it is processed.

Dated this 17 day of October, 2012.



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

Certificate of Service

On the 22 day of October, 2012, a true and correct copy of this order was mailed, postage prepaid, to David Ray Mitchell, M.D., 11415 S. Nandina Ave., Jenks, OK 74037.



Shelley Crowder