

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

STATE OF OKLAHOMA

**FILED**

STATE OF OKLAHOMA, ex rel., )  
OKLAHOMA BOARD OF )  
MEDICAL LICENSURE AND )  
SUPERVISION, )

DEC 11 1997

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Plaintiff, )

vs. )

CASE NO. 97-10-1941

ROBERT L. BULLARD, (PA )  
License No. PA195, )

Defendant. )

**VOLUNTARY SUBMITTAL**  
**TO JURISDICTION AND ORDER**

NOW ON THIS 20<sup>th</sup> day of November, 1997, there comes on before the Oklahoma State Board of Medical Licensure and Supervision, the above styled and numbered cause of action. The Defendant, Robert L. Bullard, P.A., the undersigned, states that he is of sound mind and not under the influence of any medication or drug or impaired thereby and that the Defendant fully recognizes his right to appear before the Oklahoma State Board of Medical Licensure and Supervision, for evidentiary hearing on the allegations against the Defendant herein. Of his own volition and decision, the Defendant waives his right to appear before the Oklahoma State Board of Medical Licensure and Supervision for a full hearing and pleads no contest to the allegations as set forth in the Complaint. Further, the Defendant, Robert L. Bullard, P.A., believes that a hearing before the Oklahoma State Board of Medical Licensure and Supervision would result in some sanction invoked by the Board under the Medical and Surgical Licensure and Supervision Act. Therefore, Defendant, Robert L. Bullard, P.A., hereby voluntarily and of his own volition submits to the jurisdiction

of the Board, acknowledges the allegations herein and agrees to abide by the conditions and terms of the Order.

FINDINGS OF FACT

1. That since approximately 1995, Defendant did obtain and take multiple quantities of Tylenol #4 not prescribed by any treating physician.

2. That during calendar year 1997 Defendant did obtain for his own use approximately 3,350 Tylenol #4, a portion of CDS that he used he obtained by writing prescriptions for himself on prescription pads of Randall L. Kemp, D.O., and Defendant then filled those prescriptions at the following different pharmacies, to-wit:

Tyler Drug  
105 N. Main  
Wetumka, OK 74883

Homeland Pharmacy  
310 W. Trudgeon  
Henryetta, OK 74437

Hoover Drug  
107 W Main  
Stigler, OK 74462

Wal-Mart Pharmacy  
605 E. Main  
Henryetta, OK 74437

Taylor Drug  
408 W. Main  
Henryetta, OK 74437

Sooner Drug  
324 W. Broadway  
Okemah, OK 74859

3. That on or around October 16, 1997, Defendant was admitted to Brookhaven Hospital, Tulsa, Oklahoma, with diagnosis of major depression, Opiate dependency, and chronic pain due to multiple reconstructive surgery. Defendant was discharged from in-patient care on October 31, 1997, with a specific continuing care plan.

CONCLUSIONS OF LAW

1. The Oklahoma State Board of Medical Licensure and Supervision has jurisdiction in the matter.

2. That Robert L. Bullard, PA, holding Oklahoma PA License No. 195, is in violation of the Oklahoma Medical Practice Act, 59 O.S. Supp. 1996, Sec. 509 (5) and (16), to-wit:

“(5). Habitual intemperance or the habitual use of habit-forming drugs.”

“(16). The inability to practice medicine with reasonable skill and safety to patients by reason of age, illness, drunkenness, excessive use of drugs, narcotics, chemicals, or any other type of material or as a result of any mental or physical condition.”

3. That Defendant Bullard is also in violation of the Rules and Regulations promulgated by this Board, specifically Rule 435:10-7-4, paragraphs (3), (17), and (40), to-wit:

“(3). The habitual or excessive use of any drug which impairs the ability to practice medicine with reasonable skill and safety to the patient.”

“(17) Being physically or mentally unable to practice medicine and surgery with reasonable skill and safety.”

“(40) The inability to practice medicine and surgery with reasonable skill and safety to patients by reason of age, illness, drunkenness, excessive use of drugs, narcotics, chemicals, or any other type of material or as a result of any mental or physical condition.”

4. That Defendant Bullard is also in violation of the Medical Board Rules and Regulations relating to P.A.s promulgated by this Board, specifically Rule 435:15-5-11, paragraphs (1) and (7), to-wit:

“The State Board of Medical Licensure and Supervision may reprimand or place on probation any holder of a certificate or revoke or suspend any certificate issued to a Physician’s Assistant who:

(1) Habitually uses intoxicating liquors or habit-forming drugs.

(7) Has violated any provision of the Medical Practice Act or the rules promulgated by this Board.”

### ORDER

IT IS THEREFORE ORDERED by the Oklahoma State Board of Medical Licensure and Supervision that:

1. The Defendant, Robert L. Bullard, P.A., holding Oklahoma Physician Assistant License No. 195, shall be placed on probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of five (5) years to begin on November 20, 1997, under the following terms and conditions:

(a) Defendant will conduct his practice in compliance with the Physician Assistant Act as interpreted by the Oklahoma State Board of Medical Licensure and Supervision. Any question of interpretation regarding said Act shall be submitted in writing to the Board and no action based on the subject of the question will be taken by Defendant until clarification of interpretation is received by Defendant from the Oklahoma State Board of Medical Licensure and Supervision.

(b) During the period of probation, Defendant will furnish to each and every state in which he holds certification/licensure or applies for certification/licensure and hospitals, clinics or other institutions in which he holds or anticipates holding any form of staff privilege, a copy of the Board Order stipulating sanctions imposed by the Board.

(c) During the period of probation Defendant will submit biological fluid specimens to include, but

not limited to blood and urine, for analysis, upon request of the Board or its designee, and Defendant will pay for the analysis thereof.

(d) During the period of probation, Defendant will not prescribe, administer or dispense any medications for personal use.

(e) During the period of probation, Defendant will take no medication except that which is authorized by a physician treating him for a legitimate medical need. Defendant has the affirmative duty to inform any and every doctor treating him of the Board Order immediately upon initiation of treatment.

(f) During the period of probation, Defendant will abide by the post care contract from Brookhaven Hospital (attached).

(g) During the period of probation, Defendant will keep the Board informed of his current address.

(h) During the period of probation Defendant will keep current payment of all assessment by the Board for prosecution, investigation and monitoring of his case.

(i) Until such time as all indebtedness to the Board has been satisfied, Defendant will reaffirm said indebtedness in any and all bankruptcy proceedings.

(j) Defendant will execute such releases of medical and psychiatric records during the entire term of probation as necessary for use by the Compliance Consultant to obtain copies of medical records and authorize the Compliance Consultant to discuss Defendant's case with

Defendant's treating physicians and/or any physicians holding Defendant's records.


(k) Defendant shall furnish progress reports from treating physicians, psychiatrists and psychologists, and those reports shall be furnished by Defendant on a quarterly basis to the Compliance Consultant.

(l) Defendant shall immediately affiliate with the Physician Recovery Committee of the Oklahoma State Medical Association and shall participate fully with that Committee and provide evidence of same.


(m) Defendant shall not practice in a remote site and shall have continuous supervision by a licensed physician.

2. That the jurisdiction of the Board in this individual proceeding will continue until the terms and conditions of probation are modified or lifted by the Oklahoma Board of Medical Licensure and Supervision on their own motion or on the motion of the Defendant.

3. Failure to meet any of the above terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke Defendant's Oklahoma Physician Assistant License, after additional due notice and hearing.

  
ROBERT L. BULLARD, P.A.

12-15-97  
Date

  
GERALD C. ZUMWALT, M.D.  
Secretary/Medical Advisor

12-11-97  
Date

# BROOKHAVEN

*Tulsa's Specialty Hospital*

October 31, 1997

Dr. Zumwalt  
Oklahoma Board of Medical License and Supervision  
P. O. Box 18256  
Oklahoma City, OK 73154

RECEIVED  
1997 NOV 10 AM 8:50  
OKLAHOMA BOARD OF  
MEDICAL LICENSE  
AND SUPERVISION

Dear Dr. Zumwalt:

This letter is a follow-up to our telephone conversation on October 30, 1997 regarding Robert Bullard. Robert was admitted on 10-16-97 under the care of Dr. Jeff McIlroy with the diagnosis of major depression, opiate dependency, and chronic pain due to multiple reconstructive surgeries.


During the course of his treatment here at Brookhaven Hospital, Bob has been able to begin to address on an ongoing basis his chemical dependency, depression, and his pain management. It is our clinical opinion that if he follows the plan listed below, he should be able to experience ongoing recovery in a positive manner.

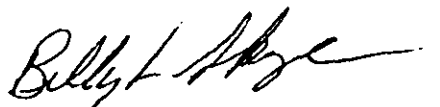
The following continuing care plan has been recommended to Bob upon discharge:

1. Weekly individual therapy for one year under the direction of Dr. Larry Cowan, L.P.C.
2. Follow up for psychiatry and medications with Dr. Jeff McIlroy.
3. Follow up for pain management with Dr. Vitali Gordon.
4. Robert will need to attend two to three A.A. or N.A. meetings per week and provide signed verification forms of his attendance. An approved continuing care group could be exchanged for one of these meetings.
5. Random Drug & Alcohol screens should be performed at the discretion of the supervising board.

Bob is being discharged from inpatient care as of 10-31-97. If we can be of any further assistance to the board regarding this case, please do not hesitate to contact us at 918-438-4257.

Sincerely,

  
Jeff McIlroy, M.D.  
Medical Director

  
Billy L. Skye  
Alcohol/Drug Therapist

CERTIFICATE OF MAILING

This is to certify that on this 22<sup>ND</sup> day of December, 1997, a true and correct copy of this order was mailed, postage prepaid to:

Robert L. Bullard, P.A.  
Rt. 2 Box 2335  
Stigler, OK 74462-9777

  
\_\_\_\_\_  
Janet L. Owens, Secretary