

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

STATE OF OKLAHOMA, *ex rel.*)
 OKLAHOMA STATE BOARD)
 OF MEDICAL LICENSURE)
 AND SUPERVISION,)
)
 Plaintiff,)
)
 v.)
)
 AMAR NATH BHANDARY, M.D.,)
 LICENSE NO. RC 19783,)
)
 Defendant.)

FILED

JUN 30 2016

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 12-03-4512

**ORDER GRANTING STATE’S MOTION TO RECONSIDER
AND SETTING HEARING OF ORAL ARGUMENTS**

State’s Motion to Reconsider was set for hearing before the Oklahoma State Board of Medical Licensure and Supervision (“Board”) on June 23, 2016, at the office of the Board, 101 N.E. 51st Street, Oklahoma City, Oklahoma 73105, pursuant to notice given as required by law and rules of the Board.

Amar Nath Bhandary, M.D. (“Defendant”) appeared not. Daniel J. Gamino of Gamino J. Gamino and Associates, P.C. appeared on behalf of Defendant. Mr. Gamino advised that Defendant was not available for appearance due to illness.

Joseph L. Ashbaker, Assistant Attorney General, appeared on behalf of the Plaintiff (herein the Plaintiff and Defendant are collectively referred to as the “Parties”).

The Parties jointly, on the record, requested the State’s Motion to Reconsider be granted and oral arguments be scheduled on the July 2016 hearing docket.

The Board *en banc*, after hearing statements of counsels, **GRANTED** the State’s Motion for Reconsideration. Further, the Board *en banc* set a hearing for oral arguments on the Application to Reinstate by preponderance of the evidence at the next Board meeting on July 14, 2016.

History

On February 26, 2016, Defendant filed an Application to Reinstate Oklahoma Medical License along with voluminous Exhibits A-I (herein, “Application to Reinstate”).

On May 12, 2016, the Application to Reinstate was presented for hearing and the Board *en banc*, after hearing arguments of counsels, the sworn testimony of witnesses, reviewing the

Application to Reinstate along with its exhibits and the State's three (3) admitted exhibits, and being fully advised in the premises, **DENIED** the Application to Reinstate, for failure to prove professional competence and good moral character by clear and convincing evidence.

On May 18, 2016, State's Motion to Reconsider was filed requesting the Board reconsider previously admitted evidence under a reduced standard of proof.

On June 10, 2016 Defendant's Response to State's Motion to Reconsider was filed. Defendant requested the Parties be allowed oral argument.

On June 23, 2016, the Board *en banc* being fully apprised of the premises, and for good cause shown, orders as follows:

1. State's Motion to Reconsider is **GRANTED**.
2. Oral arguments on the Application to Reconsider by the standard of "preponderance of the evidence" will be heard at the next Board meeting on July 14, 2016.
3. A copy of this written order should be sent to the Defendant as soon as it is processed.

Dated this 30th day of June, 2016.



Billy H. Stout, M.D., Board Secretary
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION

Certificate of Service

This is to certify that on the 30th day of June, 2016, a true and correct copy of this Order was transmitted as indicated, postage prepaid, to the following:

Facsimile and U.S. first-class mail:

Daniel J. Gamino

DANIEL J. GAMINO & ASSOCIATES, P.C.

Jamestown Office Park, North Building

3035 N.W. 63rd Street, Suite 214

Oklahoma City, Oklahoma 73116

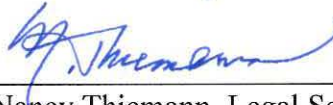
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Nancy Thiemann, Legal Secretary