

PARTIES' AGREEMENT AND STIPULATIONS

Plaintiff, Defendant and the Board staff stipulate and agree as follows:

Findings of Fact

1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physicians and surgeons in the State of Oklahoma pursuant to 59 Okla. Stat. §§ 480 *et seq.*
2. Defendant, Robert Raymond Horanzy, M.D., holds Oklahoma license no. 20039.
3. On or about April 17, 2000, Defendant engaged in physical conduct with Patient A which was sexual in nature. Specifically, on this date, having learned that Patient A was intoxicated, he drove to her home to deliver two (2) prescriptions to her. While at her home, Defendant allowed the patient to perform oral sex on him. Defendant engaged in this sexual act at the same time that he was maintaining a doctor-patient relationship and prescribing medications for the patient.
4. Defendant is guilty of unprofessional conduct in that he:
 - A. Engaged in dishonorable or immoral conduct which is likely to harm the public in violation of 59 O.S. § 509 (9) and OAC 435:10-7-4 (11).
 - B. Engaged in physical conduct with a patient which is sexual in nature, or in any verbal behavior which is seductive or sexually demeaning to a patient in violation of 59 O.S. §509 (18).
 - C. Committed an act of sexual misconduct related or unrelated to the licensee's practice of medicine and surgery in violation of OAC 435:10-7-4 (23).

Conclusions of Law

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act (the "Act") and its applicable regulations. The Board is authorized to enforce the Act as necessary to protect the public health, safety and welfare.
2. Based on the foregoing facts, Defendant, Robert Raymond Horanzy, Oklahoma license 20039, is guilty of the unprofessional conduct set forth below:

- A. Engaged in dishonorable or immoral conduct which is likely to harm the public in violation of 59 O.S. § 509 (9) and OAC 435:10-7-4 (11).
- B. Engaged in physical conduct with a patient which is sexual in nature, or in any verbal behavior which is seductive or sexually demeaning to a patient in violation of 59 O.S. §509 (18).
- C. Committed an act of sexual misconduct related or unrelated to the licensee's practice of medicine and surgery in violation of OAC 435:10-7-4 (23).

Order

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

1. The Board *en banc* hereby adopts the agreement of the parties in this Voluntary Submittal to Jurisdiction.
2. Pursuant to the parties' voluntary agreement and submittal to jurisdiction, Robert Raymond Horanzy, M.D., holding Oklahoma license No. 20039, is hereby **FORMALLY REPRIMANDED**.
3. Defendant shall be placed on **PROBATION** for a period of three (3) years under the following terms and conditions:
 - A. Defendant shall continue individual psychotherapy with William Shaw or another therapist approved in advance by the Board Secretary. Defendant's treatment shall include not less than twelve (12) visits during the term of his probation. Defendant shall submit quarterly reports of his treatment from his therapist to the Board Secretary or his designee for his review.
 - B. Defendant shall notify the Board or its designee of any entry or re-entry into an inpatient rehabilitation, assessment, or evaluation program and shall provide to the Board or its designee written authorization for any and all records associated with said treatment, assessment or evaluation. Defendant acknowledges and agrees that the Board may use such information against him in any future disciplinary proceedings.

C. Defendant shall attend a seminar approved in advance by the Board Secretary for a minimum of ten (10) hours on appropriate professional boundaries. Defendant shall provide to the Board Secretary proof of completion of said seminar.

D. Defendant will conduct his practice in compliance with the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act as interpreted by the Board. Any question of interpretation regarding the Act or this order 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 Board or its designee.

E. Defendant will not supervise allied health professionals for whom a formal supervisory arrangement is required under Oklahoma law, e.g., physician assistants or advanced registered nurse practitioners.

F. Defendant will furnish a copy of this order to each and every state in which he holds licensure or applies for licensure and to all hospitals, clinics or other facilities in which he holds or anticipates holding any form of staff privileges or employment.

G. Defendant will execute such releases of medical and psychiatric records during the entire term of probation as necessary for use by the Compliance Consultant or other Board designee to obtain copies of medical records and authorize the Compliance Consultant or other Board designee to discuss Defendant's case with Defendant's treating physicians and/or any physicians holding Defendant's records.

H. Defendant will keep the Board informed of his current address.

I. Defendant will keep current payment of all assessment by the Board for prosecution, investigation and monitoring of his case, including but not limited to a \$100.00 per month monitoring fee.


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


K. Defendant shall make himself available for one or more personal appearances before the Board or its designee upon request.

4. Promptly upon receipt of an invoice for such charges, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and investigation costs.

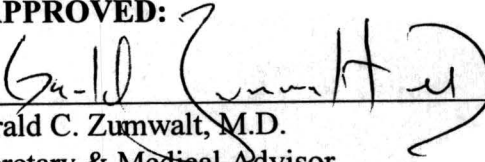
5. At the end of one (1) year, the Board Secretary will review Defendant's probation reports and reports from his therapist to determine whether or not early termination or modification of probation may be warranted.


Dated this 14 day of March, 2002.


~~James D. Gormley~~ John Alexander, M.D., President ~~Vice-President~~
Oklahoma State Board of
Medical Licensure and Supervision


Robert Raymond Horanzy, M.D.
License No. 20039

AGREED AND APPROVED:


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


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Attorney for the Oklahoma State Board
of Medical Licensure and Supervision

CERTIFICATE OF MAILING

I certify that on the 15 day of March, 2002, mailed a true and correct copy of the Order Accepting Voluntary Submittal to Jurisdiction to Robert R. Horanzy, MD, Rt. 2 Box 396, Sulphur, Oklahoma 73086.


Janet Owens, Secretary