

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

FILED

AUG 14 2009

IN THE MATTER OF THE)
APPLICATION OF)

GEORGE JOHN CARSTENS, M.D.)

FOR MODIFICATION OF)
PROBATION TERMS FOR)
LICENSE NO. 20153)

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

) Case No. 05-11-3020
)
)

SECOND ORDER MODIFYING PROBATION

This matter came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on July 23, 2009, at the Board office, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and rules of the Board.

The State was represented by Elizabeth A. Scott, Assistant Attorney General. George John Carstens, M.D., holding Oklahoma medical license no. 20153, appeared not.

The Board sitting *en banc* after hearing testimony, reviewing the request and other materials presented, and being fully apprised of the premises, made the following Findings of Fact, Conclusions of Law and Orders:

FINDINGS OF FACT

1. 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.
2. Dr. Carstens currently holds medical license no. 20153 under a three-year term of probation that commenced July 18, 2007.
3. On March 13, 2008, the State requested that the terms of Dr. Carstens' probation be modified to require polygraph examinations every nine (9) to twelve (12) months as recommended by Richard Kishur, PhD, rather than every six (6) months as originally ordered. The Board granted the requested modification.
4. On July 23, 2009, the State requested that the terms of Dr. Carstens' probation be modified to delete the requirement that he obtain individual counseling with a board certified psychiatrist and that he instead be allowed to continue individual counseling sessions not less

than two (2) times per month with Dan McCaghren, PhD or another therapist approved in advance in writing by the Board Secretary. The State additionally requested that Defendant authorize Dr. McCaghren to provide the Board Secretary quarterly reports of his progress in therapy.

5. The State presented sufficient evidence to support the requested modification.

CONCLUSIONS OF LAW

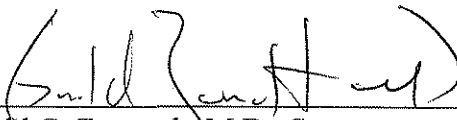
1. The Board has jurisdiction to hear this matter pursuant to 59 O. S. § 480 *et seq.*
2. The State has presented satisfactory evidence to justify allowing the terms of Dr. Carstens' probation to be modified to delete the requirement that he obtain individual counseling with a board certified psychiatrist and that he instead be allowed to continue individual counseling not less than two (2) times per month with Dan McCaghren, PhD or another therapist approved in advance in writing by the Board Secretary. Defendant shall additionally authorize Dr. McCaghren to provide the Board Secretary quarterly reports of his progress in therapy.

ORDER

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

1. The State's application to modify the terms of Dr. Carstens' probation is **GRANTED**.
2. Dr. Carstens' probation shall continue for three (3) years from the date of its commencement of July 18, 2007 under the terms and conditions set forth in the May 17, 2007 Order, with the exception that Dr. Carstens is required to submit to polygraph examinations every nine (9) to twelve (12) months as recommended by Richard Kishur, PhD, rather than every six (6) months as originally ordered, and that the terms of his probation are further modified to delete the requirement that he obtain individual counseling with a board certified psychiatrist and that he instead is allowed to continue individual counseling not less than two (2) times per month with Dan McCaghren, PhD or another therapist approved in advance in writing by the Board Secretary. Defendant shall additionally authorize Dr. McCaghren to provide the Board Secretary quarterly reports of his progress in therapy.
3. Failure to meet any of the terms of this Order will be grounds for the Board to initiate proceedings to suspend or revoke Dr. Carstens' medical license, after additional notice and hearing as required by law.
4. A copy of this written order should be sent to Dr. Carstens as soon as it is processed.

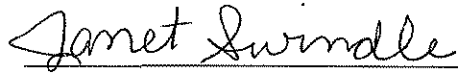
Dated this 14 day of August, 2009.



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

Certificate of Service

On the 17 day of August, 2009, a true and correct copy of this order was mailed, postage prepaid, to George Carstens, 7051 S. Sandusky Avenue, Tulsa, OK 74136.



Janet Swindle