

IN AND BEFORE THE OKLAHOMA BOARD OF  
MEDICAL LICENSURE AND SUPERVISION

STATE OF OKLAHOMA

IN THE MATTER OF )  
THE APPLICATION OF )  
 )  
PATRICK JOHN NESSEL )  
 )  
FOR AN OKLAHOMA )  
PROVISIONAL RESPIRATORY )  
CARE LICENSURE )

ORDER GRANTING LICENSURE AND  
ACCEPTING VOLUNTARY SUBMITTAL TO JURISDICTION

COMES NOW the Applicant, Patrick John Nessel, the undersigned and states that on this 20<sup>th</sup> day of November, 1997, he is of sound mind and not under the influence of any medication or drug or impaired thereby and that the Applicant fully recognizes his right to appear before the Oklahoma Board of Medical Licensure and Supervision, en banc, for evidentiary hearing on previous substance abuse, does of his own volition and decision waive and forego his right to appear before the Oklahoma Board of Medical Licensure and Supervision for full hearing inasmuch as Applicant believes a controversy exists as to whether the Board should issue licensure with some sanction under the Respiratory Care Practice Act, and further the Applicant does hereby and of his own volition submit to the jurisdiction of the Oklahoma State Board of Medical Licensure and Supervision insofar as it entails the following activities and restrictions:

1. That Applicant accepts and agrees to and does hereby begin a term of probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of five (5) years under the following terms and conditions:
  - (a) During the period of probation, Applicant will not prescribe, administer, dispense or possess any drugs in Schedules 2, 3, 4, or 5.
  - (b) During the period of probation, Applicant will request all hospitals in which he anticipates practice to furnish to the Oklahoma State Board of Medial Licensure and Supervision, a written statement

regarding monitoring of his practice while performing services in or to that hospital.

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

During the period of probation Applicant 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 Applicant will pay for the analysis thereof.

- (e) During the period of probation, Applicant will take no medication except that which is authorized by a physician treating him for a legitimate medical need. Applicant 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, Applicant will keep the Board informed of his current address.
- (g) During the period of probation Applicant will keep current payment of all assessment by the Board for prosecution, investigation and monitoring of his case.

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 Applicant.

3. The Applicant further agrees that failure to meet any of the above terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke Applicant's Oklahoma Provisional Respiratory Care License, after additional due notice and hearing.

Patrick Nessel  
PATRICK JOHN NESSEL

1-7-98  
DATE

Gerald Zumwalt MD  
GERALD C. ZUMWALT, SECRETARY  
OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE AND SUPERVISION

12-5-97  
DATE

Subscribed and sworn to before me this 7 day of January, 998.

Robert Kemp  
Notary Public

My Commission expires: 12-17-99