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

STATE OF OKLAHOMA ex rel. The Oklahoma)
Board of Medical Licensure and Supervision,	,)
)
Plaintiff,)
)
VS.)
)
STEVEN CONSTANTINE ANAGNOST, M.D.,)
License No. 21194,)
)
Defendant.)

FEB - 7 2014

OKLAHOMA STATE BOARD OF MEDICAL LICENSURE & SUPERVISION

Case No. 09-10-3861

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ORDER ACKNOWLEDGING COMPLIANCE WITH CONSENT ORDER

This matter came on for hearing before the Oklahoma State Medical Board of Licensure and Supervision on January 16, 2014 at the office of the Board, 101 N.E. 51st Street, Oklahoma City, Oklahoma, pursuant to notice given as required by law and rules of the Board.

Defendant, Steven Constantine Anagnost, M.D., appeared in person and with his attorney, Barry L. Smith.

E. Marissa Lane, Assistant Attorney General, appeared on behalf of the State of Oklahoma, ex rel. Oklahoma State Board of Medical Licensure and Supervision.

The Board *en banc* heard testimony, reviewed the application and being fully apprised of the premises, entered 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 rules of the Board.
- 2. On September 12, 2013, the Board entered into a Consent Order with Dr. Anagnost, wherein Dr. Anagnost agreed to the following terms:
 - a. <u>Continuing Medical Education</u>. Dr. Anagnost shall, in addition to the minimal Continuing Medical Education ("CME") required for Oklahoma licensure, demonstrate successful completion of eight Category 1 CME course credits approved by the American Medical Association, in Physician Billing Practices and a minimum of eight Category 1 CME course credits approved by the

American Medical Association, in Medical Record Keeping. Successful completion of this required CME shall be submitted to the Board within six months of the acceptance of this Order by the Board.

- b. <u>Re-determination of Professional Competence</u>. Dr. Anagnost shall successfully complete a Visiting Fellowship program at the Norton Leatherman Spine Fellowship Center, or another ACGME affiliated spine visiting fellowship program, to include experience in anterior spinal surgery and surgery of the cervical spine, with experience in minimally invasive lumbar fusion techniques, including percutaneous fixation and minimally invasive interbody fusions. His successful completion of the program shall be evidenced by a certificate of completion or similar written acknowledgment documenting that Dr. Anagnost successfully demonstrated competency in these areas of surgical and non-surgical treatment of the spine.
- c. <u>Oklahoma License</u>: Dr. Anagnost submitted a renewal application to the Board and was issued an unrestricted medical license in July, 2013; however, Dr. Anagnost stipulates he currently does not have a surgical practice in Oklahoma and stipulates he will comply with paragraph 7 herein prior to resuming surgical practice in Oklahoma.
- d. <u>Fines</u>. A fine of Ten Thousand Dollars (\$10,000.00) is assessed in relation to the claims of failure to report settlements to the Board in 2010 and 2011.
- e. <u>Costs.</u> Dr. Anagnost agrees to pay costs of this proceeding in an amount agreed to by the parties.
- f. <u>Resuming Surgical Practice</u>. Prior to resuming surgical practice in Oklahoma, Dr. Anagnost agrees to appear before the Board and provide documentation to the Board of successful completion of the CME requirements outlined in paragraph 2, the Fellowship requirements as outlined in paragraph 3, and payment of all fines and costs required herein. Upon demonstration of completion of these outlined terms, the Board shall issue an Order reflecting compliance with the terms and acknowledge resolution of all issues contained in the First Amended Complaint referred to herein.
- 3. On December 31, 2013, Dr. Anagnost requested he appear before the Board at its next regularly scheduled meeting to demonstrate compliance with the Consent Order.

CONCLUSIONS OF LAW

- 1. The Board has jurisdiction to reinstate the license of a physician pursuant to 59 O.S. §508.1.
- 2. The Board may impose practice parameters and other restrictions as necessary to protect

the health, safety and welfare of the public under 59 O.S. §480 et seq.

<u>ORDER</u>

It is therefore **ORDERED** by the Oklahoma State Board of Medical Licensure and Supervision as follows:

- 1. Dr. Anagnost has demonstrated compliance with the CME and Re-Determination of Professional Competence, and paid all fines and costs. Dr. Anagnost has satisfied in full and resolved all issues in the Consent Order.
- 2. A copy of this written order should be sent to Dr. Anagnost in care of his legal counsel as soon as it is processed.

DATED this 7 day of February, 2014.

Gerald C. Zumwalt, M.D., Secretary Oklahoma State Board Of Medical Licensure And Supervision

CERTIFICATE OF MAILING

This is to certify that on this $\underline{\mathcal{I}}^{\dagger \star}$ day of February, 2014, a true and correct copy of this order was mailed, postage prepaid, to: Barry L. Smith, McAfee & Taft, 1717 S. Boulder, Suite 900, Tulsa, Oklahoma, 74119.