

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,)
)
v.)
)
BILLY CONN BEETS, M.D.,)
MEDICAL LICENSE NO. 21208,)
)
Defendant.)

MAR 30 2007

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 05-08-2991

**2ND ORDER TABLING DEFENDANT'S MOTION
FOR REINSTATEMENT OF LICENSE AND ORDER
GRANTING BOARD SECRETARY THE AUTHORITY
TO CONDITIONALLY REINSTATE DEFENDANT
UNDER CERTAIN CONDITIONS**

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision on March 22, 2007, 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.

Defendant, Billy Conn Beets, M.D., appeared in person and through counsel, Daniel Gamino. Elizabeth A. Scott, Assistant Attorney General, appeared on behalf of the State of Oklahoma.

The Board *en banc* heard arguments of counsel, reviewed the pleadings, 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. On November 3, 2006, after notice and hearing, the Board suspended Defendant's license indefinitely until he completed an evaluation as to his competency and his ability to practice safely at a facility approved in advance by the Board Secretary and provided a copy of the evaluation to the Board Secretary, at which time he could appear before the Board to seek reinstatement of his license.

3. Pursuant to the Final Order of Suspension, Defendant completed an evaluation at CPEP on December 13-14, 2006.

4. At the time of the January 18, 2007 Board meeting, Defendant had not received a written report of his evaluation.

5. At the January 18, 2007 Board meeting, Defendant requested that his license be immediately reinstated to allow him to work solely at the Eufaula Indian Health Center in Eufaula, Oklahoma. Alternatively, Defendant requested that upon the Board Secretary's receipt of his written report from CPEP, that the Board Secretary be given the authority by the Board to reinstate his license if the Board Secretary finds that the CPEP report is satisfactory. The Board denied Defendant's request that his license be immediately reinstated and granted his request to give the Board Secretary the authority to conditionally reinstate his license under certain limited circumstances until the March 22, 2007 Board meeting.

6. On February 16, 2007, upon review of the CPEP report, the Board Secretary conditionally reinstated Defendant's license under certain limited circumstances until March 22, 2007.

7. At the March 22, 2007 Board meeting, Defendant provided the CPEP report to the Board and requested reinstatement of his license. The Board tabled Defendant's request for reinstatement of his license at that time, but granted the Board Secretary the authority to conditionally reinstate his license until the next regularly scheduled Board meeting upon receipt and approval by the Board Secretary of a proposed practice plan with a preceptor.

CONCLUSIONS OF LAW

1. The Board has jurisdiction to hear this matter pursuant to 59 O. S. § 481 *et seq.*

2. Defendant fails to meet the requirements for immediate reinstatement of his suspended license pursuant to 59 O.S. §506 and OAC 435:5-1-6.

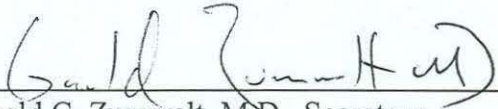
3. Upon receipt by the Board Secretary of a satisfactory proposed practice plan with a preceptor, the Board Secretary is given the authority to conditionally reinstate Defendant's license until the next regularly scheduled Board meeting, on the condition that the Board Secretary's granting of a conditional license does not guarantee licensure by the Board at the Board meeting.

ORDER

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

1. The Defendant's motion for immediate reinstatement of his license is **TABLED**.
2. The Defendant's motion for conditional reinstatement of his license is **GRANTED**, in that the Board Secretary is given the authority to conditionally reinstate Defendant's license until the next regularly scheduled Board meeting upon receipt by the Board Secretary of a satisfactory proposed practice plan with a preceptor, on the condition that the Board Secretary's granting of a conditional license does not guarantee licensure by the Board at the Board meeting.
3. A copy of this written order shall be sent to Defendant as soon as it is processed.

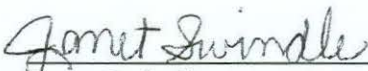
Dated this 30 day of March, 2007.



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

Certificate of Service

On the 2 day of ^{April} ~~March~~, 2007, a true and correct copy of this order was mailed, postage prepaid, to Daniel Gamino, 3315 N.W. 63rd Street, Oklahoma City, OK 73116 and to Billy Conn Beets, 1300 N.W. 156th Terrace, Edmond, OK 73013.



Janet Swindle