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

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# SECOND ORDER GRANTING CONDITIONAL REINSTATEMENT OF <u>LICENSE</u>

This matter came on for consideration before the Secretary for the Oklahoma State Board of Medical Licensure and Supervision on April 20, 2006, at the Board office, 5104 North Francis, Suite C, Oklahoma City, Oklahoma 73118.

### Findings of Fact

1. 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.

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

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

4. 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.

5. On January 18, 2007, after hearing before the Board en banc, the Board entered an Order Denying Defendant's Request for Immediate Reinstatement and Order Granting Board Secretary the Authority to Conditionally Reinstate Defendant Under Certain Conditions.

6. On February 16, 2007, Defendant provided his CPEP report to the Board Secretary and requested conditional reinstatement by the Board Secretary of his Oklahoma medical license no. 21208. Upon a review of the report and the representations of Defendant as to his proposed monitoring, the Board Secretary conditionally reinstated Defendant's license until the March 22, 2007 Board meeting under certain specified conditions.

7. At the March 22, 2007 Board meeting, Defendant requested that his license be immediately reinstated to allow him to pursue certain employment opportunities.

8. On March 22, 2007, after hearing before the Board en banc, the Board denied Defendant's request for immediate reinstatement, but granted the Board Secretary the authority to conditionally reinstate Defendant under certain conditions.

9. On April 20, 2007, Defendant presented his proposed employment and monitoring arrangement to the Board Secretary. Upon a review of the proposal made by Defendant, the Board Secretary agreed to conditionally reinstate Defendant's license until the May 17, 2007 Board meeting under certain specified conditions.

#### ORDER

The Board Secretary hereby **CONDITIONALLY REINSTATES** Defendant's Oklahoma medical license no. 21208 under the following terms and conditions:

1. Defendant's practice shall be limited to employment with the Hillcrest Health System in Henryetta, Oklahoma.

2. Defendant's license shall be conditionally reinstated only until the May 17, 2007 Board meeting, at which time the Board will consider Defendant's request for reinstatement.

3. During the period of conditional reinstatement, Defendant shall practice under the following conditions:

a. Defendant shall abide by all recommendations of CPEP with Mohammed A. Quadeer, M.D. to serve as his preceptor.

b. Dr. Quadeer shall be available to Defendant by telephone when he is not physically present in Henryetta.

4. During the period of conditional reinstatement, failure to meet any of the terms of conditional reinstatement will constitute cause for the Board to initiate additional proceedings to suspend or revoke Defendant's license, after due notice and hearing.

5. Defendant's suspended license shall not be conditionally reinstated unless Defendant has reimbursed the Board for all taxed costs and expenses incurred by the State of Oklahoma.

6. A copy of this written order shall be sent to Defendant as soon as it is processed.

Dated this 27 day of April, 2007.

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

### **Certificate of Service**

On the <u>30</u> day of <u>April</u>, 2007, a true and correct copy of this order was handdelivered to Billy Conn Beets, and was mailed, postage prepaid, to Daniel Gamino, 3315 N.W. 63<sup>rd</sup> Street, Oklahoma City, OK 73116.

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Janet Swindle