

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

FILED

AUG 12 2004

IN THE MATTER OF THE)
APPLICATION OF)

ARDRY LANCE YARBROUGH, M.D.)

FOR MODIFICATION OF)
PROBATION TERMS FOR)
LICENSE NO. 22046)

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

THIRD ORDER MODIFYING PROBATION

This matter came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on July 29, 2004, 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.

Applicant, Ardry Lance Yarbrough, M.D., holding Oklahoma medical license no. 22046, appeared not, thereby waiving his right to legal representation.

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. Yarbrough currently holds medical license no. 22046 under an indefinite term of probation that commenced July 20, 2001.

3. On July 18, 2002, Dr. Yarbrough requested that the terms of his probation be modified to issue him a full medical license and to allow him to practice outside the University of Oklahoma Health Sciences Center, Caney Valley Medical Center in Ramona, Oklahoma, with the exception that any moonlighting would be limited to the emergency room program and subject to review by his program director, which request was granted.

4. On September 10, 2003, Dr. Yarbrough requested that the terms of his probation be modified to delete the requirement that he submit quarterly reports from the director of his

residency program as set forth in paragraph 1(F) of the July 20, 2001 Order, and to modify paragraph 1(P) of the July 20, 2001 Order wherein Defendant's practice would be limited to the duties of physician/employee of the Roger Mills Memorial Hospital and the Buster Rural Health Clinic in Cheyenne, Oklahoma, which request was granted.

5. On July 29, 2004, Board staff and Dr. Yarbrough requested that the terms of Dr. Yarbrough's probation be modified to delete the requirement that he be required to obtain counseling with a counselor approved in advance by the Board Secretary.

6. Board staff and Dr. Yarbrough presented sufficient evidence to support the requested modification.

CONCLUSIONS OF LAW

The Board has jurisdiction to hear this matter pursuant to 59 O. S. § 480 *et seq.*

2. Board staff and Dr. Yarbrough have presented satisfactory evidence to justify allowing him to delete the requirement that he be required to obtain counseling with a counselor approved in advance by the Board Secretary.

ORDER

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

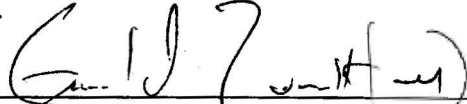
1. Board staff and Dr. Yarbrough's application to modify the terms of his probation is **GRANTED**.

2. Dr. Yarbrough's probation shall continue indefinitely from the date of its commencement of July 20, 2001, under the terms and conditions set forth in the July 20, 2001 Order, the July 18, 2002 Order Modifying Probation and the September 11, 2003 Order Modifying Probation, with the exception that Dr. Yarbrough be allowed to delete the requirement that he be required to obtain counseling with a counselor approved in advance by the Board Secretary.

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. Yarbrough's medical license, after additional notice and hearing as required by law.

4. A copy of this written order should be sent to Dr. Yarbrough as soon as it is processed.


Dated this 12 day of August, 2004.



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

Certificate of Service

On the 12 day of August, 2004, a true and correct copy of this order was mailed, postage prepaid, to Ardry Lance Yarbrough, P.O. Box 490, Cheyenne, OK 73628.



Janet Swindle