

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

FILED

JAN 25 2008

IN THE MATTER OF THE)
APPLICATION OF)
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)
MARK EDWARD REIHELD, M.D.,)
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)
FOR REINSTATEMENT OF OKLAHOMA)
MEDICAL LICENSE NO. 23029)
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OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 03-08-2708

**ORDER GRANTING REINSTATEMENT OF
LICENSE UNDER TERMS OF PROBATION**

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision on January 17, 2008, at the Board office, 5104 North Francis, Suite C, Oklahoma City, Oklahoma 73118, pursuant to notice given as required by law and rules of the Board.

Defendant, Mark Edward Reiheld, M.D., appeared in person and through counsel, Linda G. Scoggins.

Elizabeth A. Scott, Assistant Attorney General, appeared on behalf of the State of Oklahoma, ex rel. the Oklahoma State Board of Medical Licensure and Supervision.

The Board *en banc* heard testimony, reviewed the exhibits presented, 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 the rules of the Board.
2. On September 23, 2004, the Board entered an Order Accepting Voluntary Surrender of License in Lieu of Prosecution whereby it accepted Defendant's surrender of his medical license for a minimum of one (1) year with certain conditions to be met prior to seeking reinstatement. The Board also ordered that if it ever reinstated Defendant's license, it would be under terms of probation to be determined at the time of reinstatement.
3. Defendant is now seeking reinstatement of his Oklahoma medical license no. 23029.

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.*

ORDER

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

1. Defendant's medical license shall be reinstated under the following terms and conditions of **PROBATION**, which shall continue **INDEFINITELY** from the date of reinstatement under the following terms and conditions:
 - A. Defendant will conduct his practice in compliance with the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act as interpreted by the Oklahoma State Board of Medical Licensure and Supervision. Any question of interpretation regarding said Act shall be submitted in writing to the Board and no action based on the subject of the question will be taken by Defendant until clarification of interpretation is received by Defendant from the Oklahoma State Board of Medical Licensure and Supervision.
 - B. Upon request of the Board Secretary, Defendant will request all hospitals, clinics and other facilities in which he practices to furnish to the Board Secretary a written statement regarding monitoring of his practice while performing services in or to that hospital, clinic or facility.
 - C. Defendant 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 Oklahoma State Board of Medical Licensure and Supervision.
 - D. Defendant will not supervise allied health professionals that require surveillance of a licensed physician.

E. Defendant shall practice under the direct supervision of a physician licensed by the Board and approved in advance in writing by the Board Secretary. Defendant shall submit quarterly reports from his supervising physician to the Board Secretary for his review.

F. Defendant shall promptly notify the Board of any citation or arrest for traffic or for criminal offenses involving substance abuse.

G. Defendant will keep the Oklahoma State Board of Medical Licensure and Supervision informed of his current address.

H. Defendant will keep current payment of all assessment by the Board for prosecution, investigation and monitoring of his case, including but not limited to a \$100.00 per month monitoring fee.

I. Until such time as all indebtedness to the Oklahoma State Board of Medical Licensure and Supervision has been satisfied, Defendant will reaffirm said indebtedness in any and all bankruptcy proceedings.

J. Defendant shall make himself available for one or more personal appearances before the Board or its designee upon request.

K. Defendant shall submit any required reports and forms on a timely, accurate and prompt basis to the Compliance Coordinator or designee.

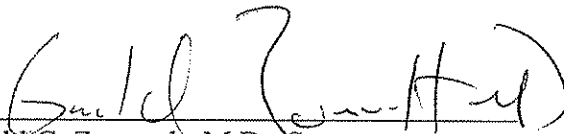
2. During the period of probation, failure to meet any of the terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke Defendant's license, after due notice and hearing.

3. Upon successful completion of a competency evaluation or educational retraining program satisfactory to the Board Secretary, Defendant may return to the Board to request termination of his probation.

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

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

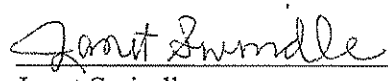
Dated this 25 day of January, 2008.



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

Certificate of Service

On the 25 day of January, 2008, a true and correct copy of this order was mailed, postage prepaid, to Linda G. Scoggins, Scoggins & Cross, PLLC, 204 N. Robinson, Suite 3100, Oklahoma City, OK 73102.



Janet Swindle