

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

STATE OF OKLAHOMA, *ex rel.*)
 OKLAHOMA STATE BOARD)
 OF MEDICAL LICENSURE)
 AND SUPERVISION,)
)
 Plaintiff,)
)
 v.)
)
 MARK REIHELD, M.D.,)
 LICENSE NO. MD 23029,)
)
 Defendant.)

FILED

DEC 11 2019

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 16-10-5374

**ORDER OF CONTINUANCE
WITH NOTICE OF HEARING**


The undersigned Secretary for the Oklahoma State Board of Medical Licensure and Supervision (“Board”), in consideration of the agreement of the Plaintiff and Defendant (herein, the “Parties”), enters the following orders:

1. On May 31, 2019, a Complaint (“2019 Complaint”) and Citation were each filed. Hearing was set for November 7, 2019.
2. On July 15, 2019, Robert ‘Bobby Don’ Gifford, with Gifford Law, PLLC, requested an extension of time to Answer, to locate defense counsel for this matter.
3. An Answer to Verified Complaint was filed on August 9, 2019, by Richard A. Johnson, with Holmes Yates Johnson, PLLC, as counsel for Defendant.
4. An Agreed Order of Continuance with Notice of Hearing was filed on October 28, 2019 resetting the hearing at the meeting of the Board on January 26, 2020.
5. The Parties have conferred and Plaintiff has no objection to a continuance of this matter to the March 5, Board meeting.
6. The Board finds that the ends of justice is served by granting of such continuance outweigh the best interest of the public and the Defendant in a speedy hearing, and for good cause shown the requested motion for continuance is **GRANTED**.
7. Premises considered and for good cause shown, the 2019 Complaint is rescheduled for hearing at the meeting of the Board on March 5, 2020. All

deadlines are reset to the Scheduling Order established for the March 5, 2020 Board meeting, attached hereto as Exhibit 1.

8. Please take notice that this matter will be reviewed by the Board at the March 5, 2020 meeting of the Board, which will begin at 9:00 a.m. The meeting will take place at the office of the Board, 101 N.E. 51st Street, Oklahoma City, Oklahoma 73105-1821.

Dated this 11th day of December, 2019.



Billy H. Stout, M.D., Board Secretary
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION

Certificate of Service


This is to certify that on the 12th day of December, 2019, a true and correct copy of this Order was transmitted as indicated, postage prepaid, to the following:

U.S. First Class Mail

Richard A. Johnson
HOLMES YATES JOHNSON, PLLC
P.O. Box 750
Ponca City, Oklahoma 74602
(580) 765-6727
(580) 765-6757 Facsimile
holmesandyates@cableone.net
**Attorney for Defendant,
Mark Reiheld, M.D.**

E-Mail

Joe Ashbaker
Assistant Attorney General
STATE OF OK, OFFICE OF ATTORNEY
GENERAL
313 N.E. 21st Street
Oklahoma City, Oklahoma 73105
(405) 522-2974
(405) 521-6246 Facsimile
Joe.ashbaker@oag.ok.gov
**Attorney for Plaintiff,
Oklahoma State Board of Medical
Licensure and Supervision**



Nancy Thiemann, Legal Assistant

EXHIBIT 1

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

FILED

MAY 28 2019

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

SCHEDULING ORDER – MARCH 2020

This Scheduling Order is issued pursuant to Okla. Admin. Code § 435:3-3-7. Alteration of this Scheduling Order shall only be approved upon written motion for good cause shown, to the Board Secretary or Trial Examiner.

1.	File dispositive motions	January 23, 2020
2.	Exchange final witness and exhibit lists	January 30, 2020
3.	Discovery completed/answered	February 13, 2020
4.	Pre-trial conference (as needed, to review contested items)	<u>earlier or by:</u> February 13, 2020
5.	File Motion for Continuance	February 27, 2020
6.	Board Hearing	March 5, 2020

- **Answer** – Defendant shall file a written answer under oath, to the complaint, within 20 days after service of the citation. If the answer is not filed, the defendant shall be considered in default. 59 O.S. § 503; 12 O.S. § 2012, Okla. Admin. Code § 435:3-3-8 *et seq.* Failure to file an answer may subject defendant to default judgment.
- **Discovery** - The failure of a party to have sufficient time to exercise any discovery mechanism on account of a lack of time shall not of itself constitute good cause for the granting of a continuance. Okla. Admin. Code § 435:3-3-9.
- **Settlement** – Unless precluded by law, informal disposition may be made of any individual proceeding by stipulation, agreed settlement, consent order, or default. 75 O.S. § 309(E). The Board may accept a Voluntary Submittal to Jurisdiction (VSJ) entered into by staff and defendant; and, VSJ's shall be the responsibility of the Secretary of the Board or Executive Director in his/her absence. Okla. Admin. Code § 435:5-1-5-1. The Board may accept Surrender in Lieu of Prosecution (SILOP) in lieu of prosecuting a pending disciplinary action or filing formal disciplinary proceedings only as provided in this section. 59 O.S. § 509.1(E), *et seq.*
- **Continuance** – Continuance requests shall be filed at the offices of the Board. The Secretary of the Board, or the Trial Examiner at the pre-trial conference, may receive and rule on motions for continuance filed prior to seven (7) days before the hearing date. If the continuance is denied, the party may renew the request and move for a continuance at the hearing. Okla. Admin. Code § 435:3-3-7(c).



Billy H. Stout, M.D., Board Secretary
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION