

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

STATE OF OKLAHOMA )  
 EX REL. THE OKLAHOMA BOARD )  
 OF MEDICAL LICENSURE )  
 AND SUPERVISION, )  
 )  
 )  
   **Plaintiff,** )  
 )  
 )  
 v. )  
 )  
 )  
**SCOTT PARKHURST TURNER, M.D.,** )  
**LICENSE NO. 23840** )  
 )  
 )  
   **Defendant.** )

**FILED**

SEP 20 2013

OKLAHOMA STATE BOARD OF  
 MEDICAL LICENSURE & SUPERVISION

**Case No. 10-01-3909**

**ORDER MODIFYING TERMS OF PROBATION**

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision on September 12, 2013, at the Board office, 101 N.E. 51<sup>st</sup> Street, Oklahoma City, Oklahoma, pursuant to notice given as required by law and rules of the Board. Scott Parkhurst Turner, M.D., Defendant, appeared in person.

The Board *en banc* after hearing testimony and being fully apprised of the premises, entered the following Findings of Fact, Conclusions of Law, and Orders:

**Findings of Fact**

1. Defendant currently holds Oklahoma medical license no. 23840.
2. 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.
3. On November 4, 2010, after due notice and hearing, the Board entered an Order Accepting Voluntary Submittal to Jurisdiction whereby Defendant was **SUSPENDED** for three (3) months and placed on **PROBATION** for a period of five (5) years.
4. Defendant requests that the term of his probation as currently stated in Paragraph N of the Order Accepting Voluntary Submittal to Jurisdiction filed herein (which

states Defendant will attend marital therapy) be removed in its entirety as a term of probation.

5. Defendant requests that the term of his probation as currently stated in Paragraph Y of the Order Accepting Voluntary Submittal to Jurisdiction filed herein (which states Defendant will not practice in excess of 40 hours per week) be modified to allow Defendant to practice up to sixty (60) hours per week.
6. Defendant requests that the term of his probation as currently stated in Paragraph Z of the Order Accepting Voluntary Submittal to Jurisdiction filed herein (which states Defendant will only prescribe CDS to hospital inpatients) be modified to allow Defendant to prescribe CDS Schedules IV and V in an outpatient setting.
7. Defendant requests that the term of his probation as currently stated in Paragraph CC of the Order Accepting Voluntary Submittal to Jurisdiction filed herein (which states Defendant will submit to a polygraph examination twice yearly) be modified to require Defendant to submit to a polygraph examination once yearly.
8. Defendant presented evidence to support his Motion to Modify Probation.

#### **Conclusions of Law**

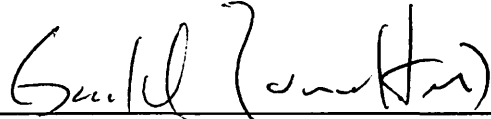
9. The Board has jurisdiction to hear this matter pursuant to 59 O.S. §480 et seq.
10. Defendant has presented sufficient evidence to justify the modification to his probation allowing the following:
  - a. Paragraph N of the Order Accepting Voluntary Submittal to Jurisdiction filed herein (which states Defendant will attend marital therapy) be completely removed as a term/requirement of probation.
  - b. Paragraph Y of the Order Accepting Voluntary Submittal to Jurisdiction filed herein (which states Defendant will not practice in excess of 40 hours per week) be modified to allow Defendant to practice up to sixty (60) hours per week.
  - c. Paragraph Z of the Order Accepting Voluntary Submittal to Jurisdiction filed herein (which states Defendant will only prescribe CDS to hospital inpatients) be modified to allow Defendant to prescribe CDS Schedules IV and V in an outpatient setting
  - d. Paragraph CC of the Order Accepting Voluntary Submittal to Jurisdiction filed herein (which states Defendant will submit to a polygraph examination twice yearly) be modified to require Defendant to submit to a polygraph examination once yearly.

## Order

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

1. Defendant's probation shall continue for a period of five (5) years as set forth in the Order Accepting Voluntary Submittal to Jurisdiction filed herein on November 4, 2010.
2. Defendant's probation shall be modified as currently stated in the Order Accepting Voluntary Submittal to Jurisdiction filed herein on November 4, 2010 as follows:
  - a. Paragraph N of the Order Accepting Voluntary Submittal to Jurisdiction filed herein (which states Defendant will attend marital therapy) be completely removed as a term/requirement of probation.
  - b. Paragraph Y of the Order Accepting Voluntary Submittal to Jurisdiction filed herein (which states Defendant will not practice in excess of 40 hours per week) be modified to allow Defendant to practice up to sixty (60) hours per week.
  - c. Paragraph Z of the Order Accepting Voluntary Submittal to Jurisdiction filed herein (which states Defendant will only prescribe CDS to hospital inpatients) be modified to allow Defendant to prescribe CDS Schedules IV and V in an outpatient setting
  - d. Paragraph CC of the Order Accepting Voluntary Submittal to Jurisdiction filed herein (which states Defendant will submit to a polygraph examination twice yearly) be modified to require Defendant to submit to a polygraph examination once yearly.
3. 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.
4. A copy of this written order shall be sent to Defendant as soon as it is processed.
5. This Order shall be effective September 12, 2013.

Dated this 20 day of September, 2013.



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

**Certificate of Service**

On the 20<sup>th</sup> day of September, 2013, a true and correct copy of this Order was mailed, postage prepaid, to Scott Parkhurst Turner, 2227 Terwilleger Boulevard, Tulsa, OK 74114.



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Barbara J. Smith, Legal Assistant