

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

FILED

OCT 09 2009

IN THE MATTER OF THE)
APPLICATION OF)

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

BRIAN KEITH RICH, M.D.,)

Case No. 08-01-3448

FOR REINSTATEMENT OF)
MEDICAL LICENSE NO. 24887)

**ORDER DENYING REINSTATEMENT OF
MEDICAL LICENSE**

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision on September 17, 2009, 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.

Brian Keith Rich, Applicant, appeared in person and pro se.

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* 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. Applicant previously held Oklahoma Medical License No. 24887.
2. On September 18, 2008, the Board revoked Applicant's license for unprofessional conduct in violation of 59 O.S. §509(7) and (8), and OAC Title 435:10-7-4(8), (11), (19), (37) and (38).
3. Applicant has applied for reinstatement of his license.
4. The evidence reflects the following:

- a. Applicant has not presented any evidence that he has received counseling from a qualified counselor as recommended by Santé.
- b. Applicant has not presented evidence that he has complied with all recommendations of Santé.

5. 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.

CONCLUSIONS OF LAW

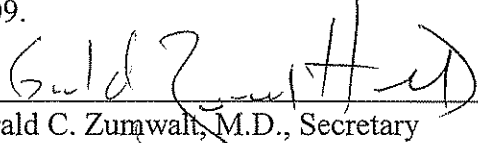
1. The Board has jurisdiction over the subject matter herein pursuant to 59 O.S. §480 et seq.
2. The Applicant has failed to sustain his burden of proof that he has met all requirements for reinstatement of his medical license at this time, including but not limited to the requirements that he be of good moral character, that he have the ability to practice medicine and surgery with reasonable skill and safety, and that he is physically, mentally, professionally, and morally capable of practicing medicine and surgery in a manner reasonably acceptable to the Board.

ORDER

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

1. Applicant's request for reinstatement of his medical license shall be **DENIED**
2. A copy of this written order shall be sent to Applicant as soon as it is processed.

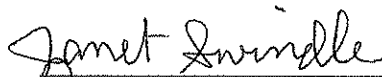
Dated this 9 day of ^{Sept}~~September~~, 2009.
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Gerald C. Zumwalt, M.D., Secretary
Oklahoma State Board of Medical
Licensure and Supervision

Certificate of Service

On the 9 day of ^{Oct}~~September~~, 2009, a true and correct copy of this order was mailed, postage prepaid, to the Applicant, Brian Keith Rich, 104 East Vilbig, Irving, TX 75060.



Janet Swindle