

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

FILED

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STATE OF OKLAHOMA)
EX REL. THE OKLAHOMA BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)

Plaintiff)

v.)

GILBERT ROLAND PARKS, M.D.,)
LICENSE NO. 25246,)

Defendant.)

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 07-01-3230

COMPLAINT

COMES NOW the plaintiff, the State of Oklahoma ex rel. the Oklahoma State Board of Medical Licensure and Supervision (the "Board"), by and through its attorney, Elizabeth A. Scott, Assistant Attorney General, and for its Complaint against the Defendant, Gilbert Roland Parks, M.D., Oklahoma license no. 25246, alleges and states as follows:

1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physicians and surgeons in the State of Oklahoma pursuant to 59 Okla. Stat. §480 *et seq.*
2. Defendant, Gilbert Roland Parks, M.D., holds Oklahoma license no. 25246.
3. On or about June 3, 2006, Defendant submitted his Application for Licensure in the State of Oklahoma. On his application, Defendant was asked the following questions:

"J. Have you ever surrendered hospital staff privileges while under investigation?

L. Have you ever been the subject of disciplinary action by a hospital, clinic, residency program or professional school?

O. Have you ever been reported to the National Practitioners Data Bank (NPDB) or to the Healthcare Integrity and Protection Data Bank (HIPDB)?"

In response to each of these questions, Defendant answered "**NO**".

4. After examining Defendant's application and attachments, the Board issued Defendant's Oklahoma medical license on January 1, 2007.

5. Subsequent to the Board's issuance of Defendant's Oklahoma medical license, Board staff received information that on or about March 12, 1996, Defendant had voluntarily surrendered his hospital privileges at Stormont-Vail Regional Medical Center in Topeka, Kansas. Prior to the surrender of his hospital privileges, Defendant had been placed on probation for numerous reasons, including a finding that his clinical practice was below the standard of care. Defendant appealed the discipline. At the conclusion of the appellate review process, Defendant voluntarily surrendered his clinical privileges.

6. Upon receiving this information, Board staff confirmed that Defendant's voluntary surrender of his clinical privileges had been reported to the National Practitioner Data Bank.

7. A review of Defendant's June 3, 2006 Application for Licensure in the State of Oklahoma reveals that under the "Practice History" section, Defendant omitted any reference to his nineteen (19) year practice at the Stormont-Vail Regional Medical Center, the hospital where he was disciplined and subsequently resigned.

8. Title 59 O.S. §508 provides as follows:

"Whenever any license has been procured or obtained by fraud or misrepresentation...it shall be the duty of the State Board of Medical Licensure and Supervision to take appropriate disciplinary action in the same manner as is provided ... for the disciplining of unprofessional conduct."

Section 508 further provides as follows:

"Use of fraudulent information to obtain a license shall be a misdemeanor offense, punishable, upon conviction, by the imposition of a fine of not less than One Thousand Dollars (\$1,000.00), or by imprisonment in the State Penitentiary for not more than one (1) year, or by both such fine and imprisonment."

9. On or about December 11, 2006, Defendant was disciplined by the Board of Healing Arts of the State of Kansas. According to the Consent Order entered by the Board, Defendant did not contest the State's allegations that he practiced without a valid Kansas license for six (6) weeks during 2003, that he failed to maintain professional liability insurance as required by Kansas law from January 2002 until August 2003, and that his medical records with respect to a certain patient were defective and incomplete. Specifically, he failed to document prescriptions to the patient and he submitted an insurance claim for a visit not documented in the patient chart. Based upon these facts, the parties agreed that Defendant was guilty of unprofessional conduct. Defendant was **PUBLICLY CENSURED, FINED \$5,000.00**, and ordered to complete **CME** on record keeping and prescribing.

10. Defendant is guilty of unprofessional conduct in that he:
- A. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public in violation of 59 O.S. § 509 (8) and OAC 435:10-7-4 (11).
 - B. Engaged in fraud or misrepresentation in applying for or procuring a medical license or in connection with applying for or procuring periodic reregistration of a medical license in violation of OAC 435:10-7-4(8).
 - C. Violated any provision of the medical practice act or the rules and regulations of the Board or of an action, stipulation, or agreement of the Board in violation of OAC 435:10-7-4(39) and 59 O.S. §509(13).
 - D. Engaged in the use of any false, fraudulent, or deceptive statement in any document connected with the practice of medicine and surgery in violation of OAC 435:10-7-4(19).
 - E. Was subject to disciplinary action of another state or jurisdiction against a license or other authorization to practice medicine and surgery based upon acts or conduct by the licensee similar to acts or conduct that would

constitute grounds for action as defined in this section in violation of OAC 435:10-7-4(31).


- F. Failed to report to the Board surrender of a license or other authorization to practice medicine and surgery in another state or jurisdiction, or surrender of membership on any medical staff or in any medical or professional association or society while under disciplinary investigation by any of those authorities or bodies for acts or conduct similar to acts or conduct that would constitute grounds for action as defined in this section in violation of OAC 435:10-7-4(33).

Conclusion

WHEREFORE, plaintiff requests that the Board conduct a hearing, and upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including the revocation or suspension of the Defendant's license to practice as a physician and surgeon in the State of Oklahoma, the assessment of costs and fees incurred in this action, and any other appropriate action with respect to Defendant's license to practice as a physician and surgeon in the State of Oklahoma.

Dated this 8th day of February, 2007 at 10:03 a.m.

Respectfully submitted,


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