

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,)

FILED

JUL 19 2007

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

v.)

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

Defendant.)

Case No. 07-01-3230

**ORDER ACCEPTING
VOLUNTARY SUBMITTAL TO JURISDICTION**

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 for the State of Oklahoma, and the staff of the Board, as represented by the Secretary of the Board, Gerald C. Zumwalt, M.D., and the Executive Director of the Board, Lyle Kelsey, and the Defendant, Gilbert Roland Parks, M.D., Oklahoma license no. 25246, who appears in person and through counsel, Doug Parr, proffer this Agreement for acceptance by the Board *en banc* pursuant to Section 435:5-1-5.1 of the Oklahoma Administrative Code ("OAC").

AGREEMENT AND ACKNOWLEDGMENT BY DEFENDANT

By voluntarily submitting to jurisdiction and entering into this Order, Defendant pleads guilty to certain of the allegations in the Complaint and Citation filed herein on February 8, 2007 and acknowledges that hearing before the Board would result in some sanction under the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act (the "Act").

Defendant, Gilbert Roland Parks, M.D., states that he is of sound mind and is not under the influence of, or impaired by, any medication or drug and that he fully recognizes his right to appear before the Board for evidentiary hearing on the allegations made against him. Defendant hereby voluntarily waives his right to a full hearing, submits to the jurisdiction of the Board and agrees to abide by the terms and conditions of this Order. Defendant acknowledges that he has

read and understands the terms and conditions stated herein, and that this Agreement has been reviewed and discussed with him and his legal counsel.

PARTIES' AGREEMENT AND STIPULATIONS

Plaintiff, Defendant and the Board staff stipulate and agree as follows:

Findings of Fact

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.* The Board has jurisdiction over this matter, and notice has been given in all respects in accordance with law and the rules of the Board.

2. Defendant, Gilbert Roland Parks, M.D., holds Oklahoma license no. 25246 and practices as a psychiatrist.

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:

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 claims that he was successful and that the disciplinary action previously imposed was set aside. At that time, Defendant resigned his clinical privileges at the hospital.

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. 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."

8. 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 a telephone prescription for 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.

9. Defendant is guilty of unprofessional conduct in that he:

- A. Engaged in ... 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).
- B. 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).
- C. Engaged in the use of any false ... or deceptive statement in any document connected with the practice of medicine and surgery in violation of OAC 435:10-7-4(19).
- D. 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).

Conclusions of Law

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act (the "Act") and its applicable regulations. The Board is authorized to enforce the Act as necessary to protect the public health, safety and welfare.

2. Defendant, Gilbert Roland Parks, M.D., Oklahoma medical license 25246, is guilty of unprofessional conduct set forth below based on the foregoing facts:

- A. Engaged in ... 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).
- B. 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).
- C. Engaged in the use of any false ... or deceptive statement in any document connected with the practice of medicine and surgery in violation of OAC 435:10-7-4(19).
- D. 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).

Order


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

1. The Board *en banc* hereby adopts the agreement of the parties in this Voluntary Submittal to Jurisdiction.

2. The Defendant, Gilbert Roland Parks, M.D., Oklahoma license no. 25246, should be and is hereby **PUBLICLY REPRIMANDED** for the conduct

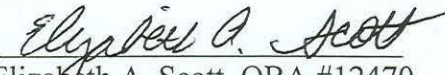
set forth above.

Dated this 19 day of July, 2007.

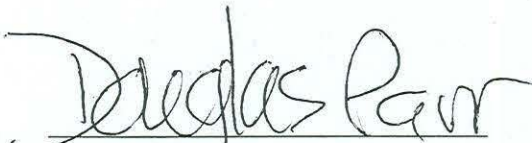

Billy H. Stout, M.D., President
Oklahoma State Board of
Medical Licensure and Supervision

AGREED AND APPROVED

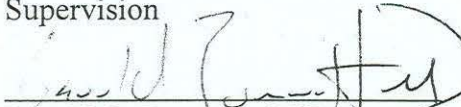

Gilbert Roland Parks, M.D.
License No. 25246


Elizabeth A. Scott, OBA #12470
Assistant Attorney General
State of Oklahoma
5104 N. Francis, Suite C
Oklahoma City, OK 73118

Attorney for the Oklahoma State
Board of Medical Licensure and
Supervision



Doug Parr
228 Robert S. Kerr Ave.
Oklahoma City, OK 73102

Attorney for the Defendant


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

CERTIFICATE OF MAILING

I certify that on the 20 day of July, 2007, I mailed a true and correct copy of the Order Accepting Voluntary Submittal to Jurisdiction to Doug Parr, 228 Robert S. Kerr Ave., Oklahoma City, OK 73102.


Janet Swindle