

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.)
)
DELMA O. PALMER, JR., P.A.)
Certificate No. 271,)
)
Defendant.)

FILED

MAY 20 1993

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

CASE NO. 92-10-1443

ORDER SUSPENDING
PHYSICIAN ASSISTANT CERTIFICATE

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on May 14, 1993, at the office of the Oklahoma Board of Medical Licensure and Supervision, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Daniel J. Gamino, Attorney, appeared for the Plaintiff; and Delma O. Palmer, Jr., P.A., Defendant, appeared pro se, waived his right to legal counsel and agreed to proceed without counsel.

The Oklahoma Board of Medical Licensure and Supervision reviewed exhibits, heard statements and being fully advised in the premises, the Oklahoma Board finds and orders as follows:

FINDINGS OF FACT

1. That Defendant, Delma O. Palmer, Jr., P.A., holds Oklahoma P.A. Certificate No. 271.
2. That the Oklahoma Board of Medical Licensure and Supervision en banc has jurisdiction over the subject matter herein and that notice has been given in all respects as required by law and the rules of the Board.
3. That Defendant contracted with the Choctaw Indian Nation Hospital to practice as a Physician's Assistant. A part of Defendant's contract required Defendant to abstain from use of alcohol. Defendant violated that portion of his contract and his privileges at Choctaw Indian Nation Hospital were permanently suspended.
4. That Defendant was perpetuating significant harm to public health, safety and welfare by the acts and omissions set forth above.

CONCLUSIONS OF LAW

1. That Delma O. Palmer, Jr., P.A., holding Oklahoma P.A. Certificate No. 271, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1991, Sec. 509, Paragraph 5, to-wit:
 - "5. Habitual intemperance or the habitual use of habit-forming drugs."
2. That Defendant is also in violation of rules and regulations promulgated by this Board pursuant to the legal

authority of 59 O.S. 1991, Sec. 522, Rules 435:15-5-11(1) and (7), to-wit:

"The State Board of Medical Licensure and Supervision may reprimand or place on probation any holder of a certificate or revoke or suspend any certificate issued to a Physician's Assistant who:

- (1) Habitually uses intoxicating liquors or habit-forming drugs.
- (7) Has violated any provision of the Medical Practice Act or the rules promulgated by this Board."

ORDER


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

1. That Defendant, Delma O. Palmer, Jr., P.A., Oklahoma P.A. Certificate No. 271 should be and is hereby SUSPENDED for an indefinite period of time.

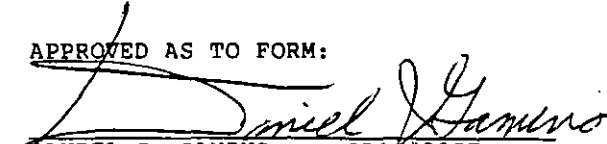
2. It is suggested by the Board, but not ordered, that before considering reinstatement Defendant must complete any evaluation and/or treatment recommended by the Board staff and agree to terms and conditions of probation to be worked out with the Board staff.

3. That a copy of this written Order should be sent to the Defendant as soon as possible so his record is complete.

DATED this 20 day of May, 1993.


GERALD C. ZUMWALT, M.D., Secretary
State Board of Medical Licensure
and Supervision

APPROVED AS TO FORM:


DANIEL J. GAMINO OBA #3227
Daniel J. Gamino & Associates, P.C.
3315 NW 63
Oklahoma City, OK 73116
(405) 840-3741
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this 24 day of May, 1993, to:

DELMA O. PALMER, JR.
PO Box 912
Talihina Ok 74571

