

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., ) CASE NO. 92-10-1443  
Certificate No. 271, )  
 )  
Defendant. )

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on ~~October 1, 1993~~, at the office of the Oklahoma State 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, P.A., Defendant, appeared by way of previous announcement to Board staff.

That the Oklahoma Board of Medical Licensure and Supervision en banc heard oral presentation of counsel, reviewed exhibits, and being fully advised in the premises, the Oklahoma Board finds and orders as follows:

FINDINGS OF FACT

1. That Defendant, Delma O. Palmer, P.A., holds Oklahoma Physician Assistant 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 before hearing any testimony or reviewing any exhibits, the Board reviewed a Voluntary Submittal to Jurisdiction previously presented to the Defendant and agreed to by the Defendant.
4. That the Board found the Voluntary Submittal to Jurisdiction and the terms and conditions therein were an appropriate disposition of this case and accepted same.

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over this matter pursuant to the Oklahoma Medical Practice Act, 59 O.S. 1991, Sec. 481 et seq., and by the Voluntary Submittal to Jurisdiction agreed to by the Defendant.

ORDER

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

1. That the Defendant, Delma O. Palmer, P.A., holding Oklahoma Physician Assistant Certificate No. 271, should be and is hereby placed on a term of probation to the Oklahoma Board of Medical Licensure and Supervision for a period of five (5) years beginning on October 1, 1993, under the following terms and conditions:

- (a) During the period of probation Defendant will take no medication except that which is authorized by a physician treating him for a legitimate medical need and Defendant shall have an affirmative duty to inform any physician treating him of Defendant's previous use of alcohol.
- (b) During the period of probation Defendant will abstain from consuming alcohol or any substance, specifically including but not limited to controlled dangerous substances, which would adversely affect his ability to practice medicine or surgery as interpreted by the Oklahoma State Board of Medical Licensure and Supervision.
- (c) During the period of probation Defendant will submit biological fluid specimens to include, but not limited to, blood and urine, for analysis, upon request of any investigator or other agent representing the Oklahoma State Board of Medical Licensure and Supervision, and Defendant will pay for testing and analysis of those specimens.
- (d) During the period of probation Defendant will continue out-patient counseling to deal with family of origin issues, if deemed necessary by his treating physician. Reports from Defendant's treating physician shall be furnished to the Compliance Coordinator on a quarterly basis. Further, Defendant will participate fully with the Physician Recovery Committee of the Oklahoma State Medical Association with attendance at said meetings to be documented by the Chairperson of the group and provided to the Compliance Coordinator on a quarterly basis.
- (e) During the period of probation Defendant will continue participation in Alcoholics Anonymous, attending at least three meetings per week, with attendance documented by the Chairperson of the meeting. Defendant will furnish quarterly reports to the Compliance Coordinator from his AA sponsor and authorize said sponsor to communicate verbally with the Medical Board Compliance Coordinators. Defendant will strongly encourage his wife to participate in his treatment as appropriate, and to attend Al-Anon family groups.
- (f) During the period of probation Defendant shall furnish each and every state in which he holds licensure or applies for licensure, and notify all hospitals or clinics or groups in which he anticipates holding any form of staff privileges, a copy of the Board Order stipulating sanctions imposed by the Board.
- (g) During the period of probation Defendant will furnish to the office of the Oklahoma State Board of Medical Licensure and Supervision

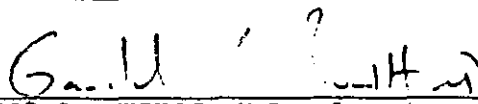
all current legal addresses and any change of address in writing.

- (h) Defendant shall appear before the Board or a designated member thereof whenever requested to do so.
- (i) During the period of probation Defendant will submit to the Investigation Division of the Oklahoma State Board of Medical Licensure and Supervision any required reports and forms on a timely and prompt basis.
- (j) That Defendant will conduct his practice in compliance with the Oklahoma Medical Practice Act as interpreted by the Oklahoma State Board of Medical Licensure and Supervision. Any question of interpretation regarding said Act shall be submitted in writing to the Board and no action based on the subject of the question will be taken by Defendant until clarification of the interpretation is received by Defendant from the Board.
- (k) During the period of probation Defendant will not supervise a Physician's Assistant.
- (l) Pursuant to Title 59 O.S. Sec. 506, Defendant shall promptly pay within 30 days of receipt of invoice from the Board the costs of investigation, prosecution and probation of this case, unless the Defendant affirmatively obtains a deferment of all or part of said fees upon presentation of evidence that is acceptable to the Board Secretary.
- (m) During the period of probation Defendant will keep current payment of all assessment by the Board for investigation, prosecution and probation monitoring of his case.
- (n) That violation of any of the terms and conditions of probation shall be grounds for additional charges to be presented to the Board after notice to the Defendant.

2. That the jurisdiction of the Board in this individual proceeding will continue until the terms and conditions of probation are modified or lifted by the Oklahoma Board of Medical Licensure and Supervision on their own motion or on the motion of the Defendant.

3. That failure to meet any of the above terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke Defendant's Oklahoma Physician Assistant certificate, after additional due notice and hearing.

DATED this 7 day of Oct, 1993.

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

APPROVED AS TO FORM:

Daniel J. Gamino  
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 12 day of October, 1993, to:

DELMA O. PALMER, JR., P.A.  
PO. Box 912  
Oklahoma, OK 74571

Grant L. Williams