

IN AND BEFORE THE OKLAHOMA BOARD OF
MEDICAL LICENSURE AND SUPERVISION

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel.,)	
OKLAHOMA BOARD OF MEDICAL)	
LICENSURE AND SUPERVISION,)	
)	
Plaintiff,)	
vs.)	CASE NO. 97-03-1895
)	
RICHARD KENT LUNDY, M.D.)	
License No. OA338,)	
)	
Defendant.)	

FINAL ORDER

NOW ON THIS 11th day of September, 1997, there comes on before the Oklahoma State Board of Medical Licensure and Supervision, the above styled and numbered cause of action. Richard Kent Lundy, Defendant, appeared in person with counsel, Richard Blackburn. Daniel J. Gamino, Attorney appeared on behalf of the State.

FINDINGS OF FACT

1. That on or around February 8, 1996, following notice and hearing, the Oklahoma Board of Medical Licensure and Supervision did issue an Order of the Board accepting the Agreement to Practice Terms regarding Defendant Richard Kent Lundy.
2. That said Order of the Board was issued on February 8, 1996, and has not been amended or modified by the Board and all terms thereof still remain in full force and effect.
3. That a urine sample collected from Defendant on or around November 27, 1996 was analyzed by an approved laboratory. That drug screen did test positive for Phentermine, a controlled dangerous substance.
4. That Defendant did not report to the Compliance and Education Coordinator any medication he was taking that would test positive,

nor did Defendant provide evidence that such medication was authorized by any physician treating him for a legitimate medical need after Defendant informed the treating physician of his previous abuse history.

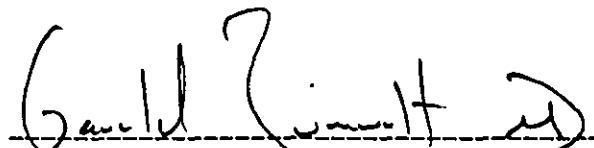
CONCLUSIONS OF LAW

1. The Oklahoma State Board of Medical Licensure and Supervision has jurisdiction in the matter.
2. That the positive test for Phentermine, a controlled dangerous substance violates the Agreement to Practice Terms.
3. That there is clear and convincing evidence to substantiate paragraph five in the Complaint filed May 29, 1997.

ORDER

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

1. The Defendant, Richard Kent Lundy, holding Certificate No. OA338, shall continue on the current Agreement to Practice Terms.
2. That the frequency of his urine screens shall be increased to monthly random screens for a period of one year at Defendant's expense and all other terms and conditions of the original Agreement to Practice Terms shall continue in full force and effect.



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

9-26-97
Date

CERTIFICATE OF MAILING

This is to certify that on this 26 day of September, 1997, a true and correct copy of this Order was mailed, postage prepaid, to:

Richard K. Lundy
12821 North Stratford
#265
Oklahoma City, OK 73120

John R. (Rob) Blackburn
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