

IN AND BEFORE THE OKLAHOMA BOARD OF
MEDICAL LICENSURE AND SUPERVISION

STATE OF OKLAHOMA

IN THE MATTER OF)
THE APPLICATION OF)
)
WENDALL E. MILES) CASE NO. 88-2-568
)
FOR REINSTATEMENT OF)
OKLAHOMA PHYSICIAN)
ASSISTANT CERTIFICATE)

FINAL ORDER REINSTATING CERTIFICATION WITH
TERMS OF PROBATION

NOW ON this 27th day of September, 1996, there comes on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the "Board"), upon the request of Wendall E. Miles, ("Applicant") pursuant to notice given as required by law and enumerated at 75 O.S. 1995 Supp. ss309 and 59 O.S. 1995 Supp. ss519.3.

The Applicant appeared in person before the Board, pro se, waived his right to legal counsel, and agreed to proceed without counsel.

The Board having heard the testimony, reviewed the exhibits introduced and otherwise being fully apprised of the facts and law herein makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. That the Applicant made application for reinstatement of physician assistant certification in Oklahoma.
2. That the Board 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 Applicant's application for reinstatement of physician assistant certification in Oklahoma was considered by the Board on May 10, 1996 and was tabled for further information.
4. That Applicant signed a Voluntary Submittal to Jurisdiction on September 20, 1996 agreeing to a five year probation with terms.

CONCLUSIONS OF LAW

1. The Board has jurisdiction in this matter by virtue of the provisions of the Physician Assistant Act , 59 O.S., ss519 et seq.
2. That all information requested on May 10, 1996 has been received and reviewed by the Board.
3. That the Voluntary Submittal to Jurisdiction was acceptable to the Board.

ORDER

THEREFORE, IT IS ORDERED by the Oklahoma State Board of Medical Licensure and Supervision that the Oklahoma Physician Assistant Certification of Wendall E. Miles, shall be reinstated on probation for a period of five (5) years under the following terms and conditions:

(a) Applicant will conduct his practice in compliance with the Physician Assistant 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 questions will be taken by Applicant until clarification of interpretations is received by Applicant from the Board.

(b) During the period of probation, Applicant will furnish to each and every state in which he holds certification/licensure or applies for certification/licensure and hospitals, clinics or other institutions in which he holds or anticipates holding any form of staff privilege, a copy of the Board Order stipulating sanctions imposed by the Board.

(c) During the period of probation, Applicant will abstain from consuming alcohol or any other substance, specifically including but not limited to, controlled dangerous substances which would adversely affect his performance as a physician assistant as interpreted by the Oklahoma State Board of Medical Licensure and Supervision.

(d) During the period of probation, Applicant will submit biological fluid specimens to include, but not limited to blood and urine, for analysis, upon request of the Board or its designee, and Applicant will pay for the analysis thereof.

(e) During the period of probation, Applicant will not prescribe, administer or dispense any medications for personal use.

(f) During the period of probation, Applicant will take no medication except that which is authorized by a physician

treating him for a legitimate medical need. Applicant has the affirmative duty to inform any and every doctor treating him of the Board Order immediately upon initiation of treatment.

(g) During the period of probation, Applicant will continue psychiatric or psychological treatment under a doctor approved by the Board Secretary. Applicant will authorize in writing the release of any and all records of that treatment to this Board.

(h) During the period of probation, Applicant will remain involved in a recovery program approved by the Board Secretary.

(i) During the period of probation, Applicant will keep the Board informed of his current address.


(j) During the period of probation, Applicant will keep current payment of all assessment by the Board for prosecution, investigation and monitoring of his case.

(k) Until such time as all indebtedness to the Board has been satisfied, Applicant will reaffirm said indebtedness in any and all bankruptcy proceedings.

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 Applicant.

3. The Applicant further agrees 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 Applicant's Oklahoma Physician Assistant Certification, after additional due notice and hearing.

DATED this 3 of Oct, 1996.


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

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this 4 day of October, 1996.

Wendall E. Miles, P.A.
420 Manner Park Ave
Edmond OK
73034

Janet L Owens
Janet Owens, Secretary