

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.

MARION PAUL GIBSON, P.A.
Certificate No. 430,

CASE NO. 89-04-867

Defendant

ORDER REDUCING PROBATION
FROM LEVEL I TO LEVEL II

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on September 1, 1990, 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 Marion Paul Gibson, P.A., Defendant, appeared by announcement of Plaintiff's counsel.

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

FINDINGS OF FACT

1. That Defendant, Marion Paul Gibson, P.A., holds Oklahoma Physician Assistant Certificate No. 430.
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 following notice and hearing on September 21, 1989, Defendant was placed on a period of probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of five years under certain enumerated terms and conditions.
4. That since imposition of that term of probation, Defendant has been in compliance with the terms and conditions thereof. That public health and safety allow the Defendant to remain under probation but to be reduced from Level I to Level II supervision.

CONCLUSIONS OF LAW

1. That the Oklahoma Board of Medical Licensure and Supervision has continuing jurisdiction over the level of supervision of the Defendant on the probationary terms previously imposed.

ORDER

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

1. That the Defendant, Marion Paul Gibson, P.A., Oklahoma Physician Assistant Certificate No. 430, should be and is hereby retained on probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of five years beginning on September 21, 1989.

2. That the level of supervision of the probation should be and is hereby reduced from Level I to Level II.

3. That the terms and conditions of probation are readopted and republished as additionally set forth herein, to-wit:

(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 controlled dangerous substances and alcohol.

(b) During the period of probation Defendant will abstain from consuming alcohol or any substance, licit or illicit, 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 shall regularly attend meetings of the Physician Recovery Committee of the Oklahoma State Medical Association and/or other alcohol and drug support groups.

(e) 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.

(f) That Defendant shall appear before the Board or a designated member thereof whenever requested to do so.

(g) 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.

(h) Pursuant to Section 26, H.B. 1478, 1987 Legislature, Defendant shall promptly pay upon receipt of invoice from the Investigation Division of the Board the costs

of investigation, prosecution and probation of this case.

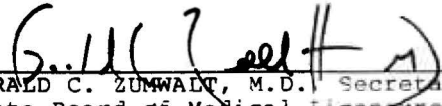
(i) During the period of probation Defendant shall notify his supervising physician, any back-up physicians, and any hospital where he practices or clinic or group where he practices, and each of his supervisors, of the terms and conditions of this Board Order and shall supply a copy thereof to each person, institution or group.

(j) 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.

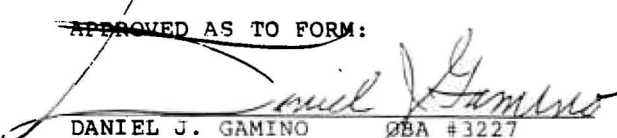
4. That the jurisdiction of the Board in this individual proceeding will continue until the terms and conditions of probation are modified or lifted by the Oklahoma Board of Medical Licensure and Supervision on their own motion or on the motion of the Defendant, or on the recommendation of the Physician's Assistant Advisory Committee.

5. The Defendant 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 Defendant's Physician's Assistant Certificate, after additional due notice and hearing.

DATED this 27th day of September, 1990.


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

~~APPROVED AS TO FORM:~~


DANIEL J. GAMINO OBA #3227
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ATTORNEY FOR PLAINTIFF

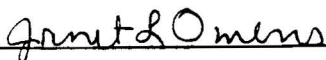
CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this 28 day of September, 1990, to:

MARION PAUL GIBSON, P.A.

RR 4 Box 456

Ada OR. 74820-9440


Janet Owens