

IN AND BEFORE THE OKLAHOMA BOARD OF
MEDICAL LICENSURE AND SUPERVISION

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel,)
OKLAHOMA STATE BOARD OF)
MEDICAL LICENSURE AND)
SUPERVISION,)
 Plaintiff,)

v.

MARK JONES, APPLICANT)
PHYSICIAN ASSISTANT)
CERTIFICATION)
 Defendant.)

FINAL ORDER GRANTING CERTIFICATION UNDER TERMS OF PROBATION

This matter came on for hearing before the Oklahoma Board of Medical Licensure and Supervision (the "Board") on September 16, 1995, at the offices of the Board, 5104 North Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and rules of the Board.

Mark Jones was present with counsel, Doug Rice.

The Board en banc reviewed the application and recommendation of the Physician Assistant Committee and being fully advised in the premises finds as follows:

FINDINGS OF FACT

1. That Defendant, Mark Jones, is an applicant for certification as a physician assistant.
2. The Board en banc has jurisdiction over the subject matter herein and notice has been given in all respects as required by law and the rules of the Board.
3. That in addition to reviewing the application, the Board reviewed terms of probation submitted by staff.
4. That the Board found the Defendant should be issued a probated certificate under terms as presented.

CONCLUSIONS OF LAW

1. The Board has legal authority to issue a probated certificate to practice as a physician assistant pursuant to the Physician Assistant Act, Title 59 O.S., Section 519 et seq.

ORDER

It is therefore ORDERED by the Board of Medical Licensure and Supervision as follows:

1. The application of Mark Jones for certification as a physician assistant is hereby granted under the following terms and conditions for an indefinite period of time:

(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 substance abuse.

(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 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 be 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 has the affirmative duty to not engage in any activity or to ingest any medication or substance of any nature that will test positive for alcohol or any controlled dangerous substance.

(e) During the period of probation Defendant will maintain a program of abstinence through participation in and/or association with any and all organizations, groups or individuals selected by the Board or its designee and deemed appropriate for assessment, treatment or support.

(f) During the period of probation Defendant shall not receive, accept, or sign for in any manner any samples of any drug.

(g) During the period of probation Defendant shall not order, dispense or administer any controlled dangerous substances or legend drugs, except Defendant may order, dispense or administer life-saving drugs to a patient in an emergency, life-threatening situation. When this occurs, Defendant shall have the affirmative duty to inform the Board Compliance Coordinator and furnish the patients' records for this incident.

(h) During the period of probation Defendant may not administer or dispense legend drugs, except those drugs which are essential to Defendants practice which have been approved

for this purpose by the Board Secretary. Defendant may prescribe legend drugs but only under the accepted protocol and only on serially-numbered, duplicate prescription pads and Defendant shall make the copies available to the Compliance Coordinator or other representatives of the Oklahoma State Board of Medical Licensure and Supervision on a monthly basis.

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

(j) During the period of probation Defendant will submit to the Board any required reports and forms on a timely and prompt basis.

(k) Defendant will conduct his practice in compliance with the Oklahoma Physician Assistant 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 the Defendant until clarification of the interpretation is received by Defendant from the Board.

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

Dated this 2nd day of October, 1995.

George M. Brown, Jr., M.D.
George M. Brown, Jr., M.D., Secretary
Oklahoma Board of Medical Licensure
and Supervision

CERTIFICATE OF MAILING

This is to certify that on this 3 day of October, 1995, a true and correct copy of this order was mailed, postage prepaid, to _____.

Janet L. Owens
Janet L. Owens