

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.    )  
  )  
GEORGE MARKERT, M.D.                 ) CASE NO. 88-1-559  
Medical License No. 7600,             )  
  )  
  ) Defendant.                             )

VOLUNTARY SUBMITTAL TO JURISDICTION

COMES NOW the Defendant, George Markert, M.D., the undersigned, and states that on this 2nd day of February 1989, he is of sound mind and not under the influence of any medication or drug or impaired therefrom, and said Defendant does further recognize his right to legal counsel and has reviewed this document with counsel, Richard James, and being advised of his right to appear before the Oklahoma State Board of Medical Licensure and Supervision en banc for evidentiary hearing on the Amended Complaint filed herein, does of his own volition and decision waive and forego his right to appear before the Board for full hearing as authorized by 59 O.S. Supp. 1987, Sec. 504-507, inasmuch as Dr. Markert believes that should he contest the allegations contained within the Amended Complaint, there is adequate evidence for disciplinary action to be taken against him and for that reason Dr. Markert chooses not to contest the allegations contained in said Amended Complaint and does hereby voluntarily and of his volition submit to the jurisdiction of the Oklahoma State Board of Medical Licensure and Supervision insofar as it entails the following activities and restrictions:

1. That Defendant accepts and agrees to and hereby begins a term of probation to the Oklahoma State Board of Medical Licensure and Supervision to continue for a period of five (5) years under the following terms and conditions:

(a) During the period of probation Defendant may prescribe controlled dangerous substances only on serially-numbered, duplicate prescription pads and shall make the copies available to Investigators of the Oklahoma State Board of Medical Licensure and Supervision at their request.

(b) During the period of probation Defendant will substantially reduce the number of controlled dangerous substance prescriptions being written.

(c) During the period of probation Defendant will substantially reduce the duration of time that patients are retained on controlled dangerous substances prescribed.

(d) 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.

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

(f) 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.

(g) 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.

(h) 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 in this matter until the terms and conditions of probation are modified or lifted by the Oklahoma State Board of Medical Licensure and Supervision on their own motion or on the motion of the Defendant.

3. 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 Oklahoma Medical License, after additional due notice and hearing.

4. That the Plaintiff hereby agrees to recommend formal termination of probation after three (3) years of full compliance by the Defendant with the terms and conditions set forth above. This agreement is made a specific matter of record in this regard.

I have read this instrument and understand same.

George Markert, M.D.  
GEORGE MARKERT, M.D.  
Medical License No. 7600

Richard James  
RICHARD JAMES  
James, Gilmore & Hodgens, P.C.  
P.O. Box 686  
Stroud, OK 74079  
ATTORNEY FOR DEFENDANT

Subscribed and sworn to before me this 2nd day of February, 1989.

Patsy James  
Notary Public

My Commission expires:  
June 12, 1991