

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.)	

ORDER ON PROBATION APPEARANCE

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on February 28, 1992, 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 George Markert, M.D., Defendant, appeared in person, pro se, waived his right to counsel and agreed to proceed without counsel.

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

FINDINGS OF FACT

1. That Defendant, George Markert, M.D., holds Oklahoma Medical License No. 7600.
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 February 3, 1989, Defendant was placed on probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of five (5) years beginning on February 3, 1989, under certain enumerated terms and conditions.
4. That Defendant is in general compliance with those terms and conditions.
5. That the Board found no evidence to support any change of terms and conditions of probation.

CONCLUSIONS OF LAW

1. That the Board has lawful jurisdiction over the Defendant pursuant to the Oklahoma Medical Practice Act, 59 O.S. Supp. 1990, Sec. 481 et seq.

ORDER

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

1. That the Defendant, George Markert, M.D., holding Oklahoma Medical License No. 7600, should be continued on probation to the Oklahoma State Board of Medical Licensure and Supervision for a period of five (5) years beginning on February 3, 1989, 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 Title 59 O.S. Sec. 506, Defendant shall promptly pay within 30 days of receipt of invoice from the Board the costs of investigation, prosecution and probation of this case, unless the Defendant affirmatively obtains a deferment of all or part of said fees upon presentation of evidence that is acceptable to the Board Secretary.
- (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 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.

3. 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.

DATED this 5 day of March, 1992.

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

APPROVED AS TO FORM:

Daniel J. Gamino
DANIEL J. GAMINO OBA #3227
Daniel J. Gamino & Associates, P.C.
3315 NW 63
Oklahoma City, OK 73116
(405) 840-3741
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 9 day of March, 1992, to:

GEORGE MARKERT, M.D.
Stroud Clinic, Inc.
310 West 7th St.
Stroud, OK 74079-0300

Janet L Owens