

IN AND BEFORE THE STATE BOARD OF MEDICAL EXAMINERS

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel,)
STATE BOARD OF MEDICAL)
EXAMINERS,)

Plaintiff,)
)

v.

CHARLES CALEB ELLIOTT, M.D.,
Medical License No. 7914,

Defendant.

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MAY 30 1985

**STATE BOARD
MEDICAL EXAMINERS**

FINAL ORDER ON RECONSIDERATION

This cause came on for hearing before the Oklahoma Board of Medical Examiners en banc on May 24, 1985, at 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 Short, Attorney, appeared on behalf of the Defendant and the Defendant appeared in person.

The Board of Medical Examiners en banc heard the testimony and reviewed exhibits and being fully advised in the premises the Board of Medical Examiners therefore finds as follows:

FINDINGS OF FACT

1. That Charles Caleb Elliott, M.D., holds Oklahoma Medical License No. 7914.

2. That the Board of Medical Examiners 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 a portion of the Board's Final Order following the Defendant's hearing on January 18, 1985, provided that the Board would reconsider the sanctions imposed in this case at 9:00 a.m. on May 24, 1985, along with the results of the physical and emotional examination and that the Defendant must be present at that time, with counsel or other representative, if desired, and that the Board specifically retained jurisdiction to make additional terms of probation and to consider possible additional action against the medical license of the Defendant.

4. That at the direction of the Board the Defendant submitted to a physical examination on or around April 3, 1985, by Jerry S. Morgan, M.D. Dr. Morgan's report dated April 19, 1985, was submitted into the record. Similarly, the Defendant underwent a psychiatric examination by Robert M. Wienecke, M.D., and Dr. Wienecke submitted copies of his psychiatric evaluation dated May 6 and 17, 1985. Said reports were marked as exhibits and introduced into evidence.

CONCLUSIONS OF LAW

1. The Conclusions of Law set forth in the Board's Order following the hearing on January 18, 1985, are hereby reaffirmed.

ORDER

IT IS THEREFORE ORDERED by the Board of Medical Examiners of Oklahoma as follows:

1. That the Medical License No. 7914 of the Defendant, Charles Caleb Elliott, M.D., heretofore suspended on January 18, 1985, be and the same is hereby reinstated subject to the provisions of the following.

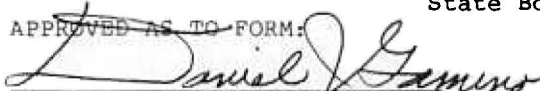
2. That Defendant's license shall be and is hereby placed on a period of probation with the Oklahoma State Board of Medical Examiners for a period of five years, beginning on May 24, 1985, under the following terms and conditions:

- a. That the Defendant shall not prescribe, administer or dispense any controlled dangerous substances to any patient or person.
- b. During the period of probation Dr. Elliott will furnish to the office of the State Board of Medical Examiners all current legal addresses and any change of address in writing.
- c. That Defendant shall appear before this Board or a designated member thereof whenever requested to do so.
- d. That the Defendant shall continue to obtain psychiatric counseling and make such reports available to the Board upon its request.
- e. The Board retains the right and jurisdiction in the future to order the Defendant to undergo psychological evaluation from a professional practioner designated by the Board.

DATED this 30th day of May, 1985.


MARK R. JOHNSON, M.D., Secretary
State Board of Medical Examiners

APPROVED AS TO FORM:


DANIEL J. GAMINO
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 on the 7th day of ~~May~~^{June}, 1985, I mailed a true and correct copy of the above and foregoing Final Order On Reconsideration, postage prepaid, to Charles Caleb Elliott, M.D., P.O. Box 2419, Ada, OK 74820, and to George Short, 1800 Liberty Tower, Oklahoma City, OK 73102, Attorney for Defendant.

