

IN AND BEFORE THE OKLAHOMA STATE BOARD  
OF MEDICAL LICENSURE AND SUPERVISION  
STATE OF OKLAHOMA

**FILED**

JUL 22 2011

IN THE MATTER OF THE )  
APPLICATION OF )

SCOTT GREGORY BEARDEN, P.A., )

FOR REINSTATEMENT OF OKLAHOMA )  
PHYSICIAN ASSISTANT LICENSE NO. PA841 )

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Case No. 090-10-3851

**ORDER GRANTING REINSTATEMENT OF  
LICENSE UNDER TERMS OF PROBATION**

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision on July 14, 2011, at the Board office, 101 N.E. 51st, Oklahoma City, Oklahoma 73105, pursuant to notice given as required by law and rules of the Board.

Defendant, Scott Gregory Bearden, P.A., appeared in person and pro se.

Elizabeth A. Scott, Assistant Attorney General, appeared on behalf of the State of Oklahoma, ex rel. the Oklahoma State Board of Medical Licensure and Supervision.

The Board *en banc* heard testimony, reviewed the exhibits presented, and being fully apprised of the premises, entered the following Findings of Fact, Conclusions of Law, and Orders:

***Findings of Fact***

1. 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.

2. On May 27, 2011, after hearing before the Board *en banc*, the Board entered a Final Order of Suspension whereby it suspended Defendant's license until he completed an Evaluation on Boundaries Issues and appeared before the Board to report on his evaluation, after which time Defendant could appear before the Board to seek reinstatement of his license.

3. Defendant is now seeking reinstatement of his Oklahoma physician assistant license no. PA841.

## **CONCLUSIONS OF LAW**

1. The Board has jurisdiction to reinstate the license of a physician assistant pursuant to 59 O.S. §§508.1 and 519 *et seq.*
2. The Board may impose practice parameters and other restrictions as necessary to protect the health, safety and welfare of the public under 59 O.S. §480 *et seq.*

## **ORDER**

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

1. Defendant's physician assistant license shall be reinstated under the following terms and conditions of **PROBATION**, which shall continue for a term of **FIVE (5) YEARS** from the date of reinstatement under the following terms and conditions:

A. Defendant will conduct his practice in compliance with the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act and the Oklahoma Physician Assistant Practice Act as interpreted by the Oklahoma State Board of Medical Licensure and Supervision. Any question of interpretation regarding said Acts shall be submitted in writing to the Board and no action based on the subject of the question will be taken by Defendant until clarification of interpretation is received by Defendant from the Oklahoma State Board of Medical Licensure and Supervision.

B. Upon request of the Board Secretary, Defendant will request all hospitals in which he anticipates practicing to furnish to the Board Secretary of the Oklahoma State Board of Medical Licensure and Supervision a written statement regarding monitoring of his practice while performing services in or to that hospital.

C. Defendant will furnish to each and every state in which he holds licensure or applies for licensure and hospitals, clinics or other institutions in which he holds or anticipates holding any form of staff privilege or employment, a copy of the Board Order stipulating sanctions imposed by the Oklahoma State Board of

Medical Licensure and Supervision.

D. Defendant shall have a workplace monitor other than his supervising physician. Defendant's workplace monitor shall be a licensed health care provider approved in advance and in writing by the Board Secretary, and shall be in the practice setting with Defendant at any time that he is treating patients.

E. Defendant shall comply with all recommendations of Elmhurst.

F. Defendant will execute such releases of medical and psychiatric records during the entire term of probation as necessary for use by the Compliance Consultant or other Board designee to obtain copies of medical records and authorize the Compliance Consultant or other Board designee to discuss Defendant's case with Defendant's treating physicians and/or any physicians holding Defendant's records.

G. Defendant will keep the Oklahoma State Board of Medical Licensure and Supervision informed of his current address.

H. Defendant will keep current payment of all assessments by the Oklahoma State Board of Medical Licensure and Supervision for prosecution, investigation and monitoring of his case, including but not limited to a \$150.00 per month probation monitoring fee.

I. Until such time as all indebtedness to the Oklahoma State Board of Medical Licensure and Supervision has been satisfied, Defendant will reaffirm said indebtedness in any and all bankruptcy proceedings.

J. Defendant shall make himself available for one or more personal appearances before the Board or its designee upon request.

K. Defendant shall submit any required reports and forms on a timely, accurate and prompt basis to the Compliance Coordinator or designee.

L. Failure to meet any of the terms of this Board Order will constitute cause for the Board to initiate additional proceedings to suspend, revoke or modify Defendant's license after due notice and hearing.


M. Defendant will obtain psychotherapy with a therapist to be approved in advance in writing by the Board Secretary. Defendant shall submit quarterly reports of his treatment from his therapist to the Board Secretary or his designee for his review until he is discharged by said therapist and the Board. Defendant's treatment shall consist of not less than one (1) visit per week. Defendant shall authorize in writing the release of any and all records of this treatment to the Board or its designee.

2. During the period of probation, failure to meet any of the terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke Defendant's license, after due notice and hearing.

3. Defendant's suspension will be lifted, and his license will be reinstated only upon payment in full of all costs and expenses incurred by the State of Oklahoma.

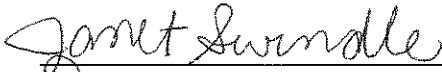
4. A copy of this written order shall be sent to Defendant as soon as it is processed.

Dated this 22 day of July, 2011.

  
Gerald C. Zumwalt, M.D., Secretary  
Oklahoma State Board of Medical  
Licensure and Supervision

#### Certificate of Service

On the 22 day of July, 2011, a true and correct copy of this order was mailed, postage prepaid, to Scott Bearden, 8197 S. Pleasant View Road, Ponca City, OK 74601.

  
Janet Swindle