

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

FILED

MAY 17 2001

STATE OF OKLAHOMA)
EX REL. THE OKLAHOMA BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff,)

v.)

Case No. 00-11-2274

DILLIS LEROY HART, M.D.,)
LICENSE NO. 8426)

Defendant.)

FINAL ORDER OF SUSPENSION

This cause came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the "Board") on March 16, 2001, at the office of the Board, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Elizabeth A. Scott, Assistant Attorney General, appeared for the plaintiff and defendant appeared in person, pro se, thereby waiving appearance of counsel.

The Board *en banc* after hearing arguments of counsel, reviewing the exhibits admitted and the pleadings filed, and being fully advised in the premises, found that there is clear and convincing evidence to support the following Findings of Fact, Conclusions of Law and Orders:

Findings of Fact

1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physicians and surgeons in the State of Oklahoma pursuant to 59 Okla. Stat. §480 *et seq.*
2. The Board has jurisdiction over this matter, and notice has been given in all respects in accordance with law and the rules of the Board.
3. Defendant, Dillis Leroy Hart, M.D., holds Oklahoma medical license no. 8426.

4. On or about August 18, 1998, the Board of the Healing Arts of the State of Kansas entered a Final Order wherein Defendant's license to practice medicine and surgery and his ability to perform invasive surgery in the State of Kansas was limited. Defendant was additionally assessed an administrative fine.

5. On or about August 17, 2000, the Board of the Healing Arts for the State of Kansas entered a Final Order wherein Defendant's license to practice medicine and surgery in the State of Kansas was suspended for a period of at least six (6) months. Defendant's suspension was based upon multiple instances of practice below the standard of care and multiple instances of violating the August 18, 1998 Board Order. The Board further held that after six (6) months, Defendant could petition the Board for removal of his suspension, but that before it could be lifted, the Defendant must successfully pass the SPEX examination and provide proof of the same to the Board. Upon removal of the suspension, Defendant's ability to perform surgery in the State of Kansas was to be severely limited for an indefinite period of time.

6. On November 30, 2000, after due notice and hearing, the Board Secretary entered an Order of Emergency Suspension, whereby Defendant's license was suspended pending hearing on the Complaint and Citation before the full Board.

7. Defendant is guilty of unprofessional conduct in that he:
- A. Was subject to disciplinary action of another state or jurisdiction based upon acts or conduct by the licensee similar to acts or conduct that would constitute grounds for action as defined in this section pursuant to OAC 435:10-7-4(31).
 - B. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud, or harm the public in violation of 59 O.S. §509(9) and OAC 435:10-7-4(11).

Conclusions of Law

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act (the "Act") and its applicable regulations. The Board is authorized to enforce the Act as necessary to protect the public health, safety and welfare.

2. Defendant is guilty of unprofessional conduct in that he:
- A. Was subject to disciplinary action of another state or jurisdiction based upon acts or conduct by the licensee similar to acts or conduct that would constitute grounds for action as defined in this section pursuant to OAC 435:10-7-4(31).


- B. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud, or harm the public in violation of 59 O.S. §509(9) and OAC 435:10-7-4(11).

Order

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


1. The license of Defendant, Dillis Leroy Hart, M.D., Oklahoma license no. 8426, is hereby **SUSPENDED** beginning March 16, 2001 and continuing until Defendant regains his license in the State of Kansas, at which time Defendant may appear before the Board to seek reinstatement of his license.
2. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and investigation costs.
3. Defendant's suspended license shall not be reinstated unless Defendant has reimbursed the Board for all taxed costs.
4. This Order of Suspension shall be effective March 16, 2001.

Dated this 17 day of May, 2001.


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

CERTIFICATE OF SERVICE

I certify that on the 23 day of May, 2001, I mailed, via first class mail, postage prepaid, a true and correct copy of this Order of Suspension to Dillis Leroy Hart, 106 Locust, P.O. Box 937, Boise City, OK 73933.


Janet Owens