

THE OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE AND SUPERVISION

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel,)
STATE BOARD OF MEDICAL)
LICENSURE AND SUPERVISION)
)
Plaintiff)
)
vs)
)
JOE DAN METCALF, M.D.)
MEDICAL LICENSE #8629)
)
Defendant)

ORDER OF THE BOARD

BEFORE THE Oklahoma State Board of Medical Licensure and Supervision was heard the above styled matter on November 14, 1996. The state was represented by C. Merle Gile, Attorney at Law and the defendant appeared with his attorney Greg Cole. The parties entered an agreed to Voluntary Submittal to Jurisdiction, placing the defendant under the jurisdiction of the Board and jointly requesting that the contents therein be adopted as the Board's Order.

The Board members accepted the Voluntary Submittal to Jurisdiction and Ordered that it be entered into the record as the ORDER OF THE BOARD in this matter.

FINDINGS OF FACT

1. That Defendant holds Oklahoma Medical License No. 8629.
2. That the Board 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 the Defendant admits that he is in violation of the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act, 59 O.S. Supp. 1994, Sec. 509, Paragraph 6.

CONCLUSIONS OF LAW

1. That on November 13, 1995 Defendant pled guilty to interstate commerce violation, a felony.
2. That on March 5, 1996 Defendant was fined \$5,000 payable to the United States Government and sentenced to six (6) months in Federal Prison beginning April 5, 1996.
3. The Defendant, by reason of the above facts, is in violation of the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act, 59 O.S. Supp. 1994, Sec. 509, Paragraph 6.

ORDER

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

1. The Defendant, Joe Dan Metcalf, M.D., is hereby suspended from the practice of medicine and surgery for a period of one (1) year after Defendant's release from incarceration.
2. That Defendant, Joe Dan Metcalf, M.D. is hereby placed on 5 years probation immediately following the one (1) year suspension under the following terms and conditions:
 - A. During the period of probation, a random selection of patient records are to be selected by the Compliance Coordinator for the Board and reviewed by the Secretary of the Board on a quarterly basis.
 - B. During the period of probation, Defendant shall provide the Board with any requested reports or files immediately upon request.
 - C. During the period of probation, Defendant will keep the Board informed of his current address.
 - D. During the period of probation, Defendant will keep current payment of all assessment by the Board for prosecution, investigation and monitoring of his case.
 - E. Until such time as all indebtedness to the Board has been satisfied, Defendant will reaffirm said indebtedness in any and all bankruptcy proceedings.
 - F. Defendant shall conduct his practice in compliance with the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act.
 - G. Defendant shall 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, a copy of the Board Order stipulating sanctions imposed by the Board.
 - H. Any violation of the terms of this Order shall constitute grounds for additional

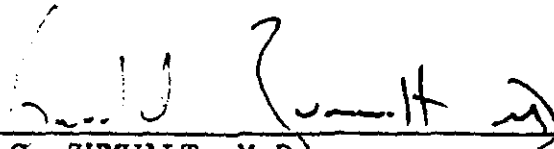
action by the Board herein.

I. The jurisdiction of the Board in this action shall continue until the terms and conditions of probation are ended, or modified or lifted by the Board upon motion.

3. Jurisdiction in this matter 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.

4. That failure to meet any of the above terms of probation will constitute cause for the Board to initiate additional proceedings to further impose sanctions on Defendant after due notice and opportunity for individual proceeding.

FOR THE BOARD:



GERALD C. ZUMWALT, M.D.
SECRETARY/MEDICAL DIRECTOR

12-11-96
DATE OF SIGNATURE

APPROVED AS TO FORM:



C. MERLE GILE, ATTORNEY



GREG COLE, ATTORNEY

CERTIFICATE OF MAILING

This is to certify that on this 13 day of December, 1996, a true and correct copy of this order was mailed, postage prepaid to:

Joe Dan Metcalf, M.D.
2610 NW Expressway #B
Oklahoma City, OK 73112

Greg Cole, Attorney
6846 S. Canton, Suite 200
Tulsa, OK 74136