

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.)
ROBERT GARY BOTTOMLEY, M.D.) CASE NO. 88-10-714
Medical License No. 8945,)
)
Defendant.)

ORDER OF SUSPENSION
IN LIEU OF HEARING

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision en banc on December 29, 1988, 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 the Defendant appeared in person and by counsel, Randy Anthony Rankin, 1515 S. Denver, Tulsa, Oklahoma 74119.

The Board of Medical Licensure and Supervision en banc heard announcements of counsel and being fully advised in the premises the Board of Medical Licensure and Supervision therefore finds as follows:

FINDINGS OF FACT

1. That Defendant, Robert Gary Bottomley, M.D., holds Oklahoma Medical License No. 8945.
2. That the 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 on December 23, 1988, Defendant was served with process in this cause, specifically the Complaint and Application to Summarily Suspend Medical License, Citation, and Notice of Emergency Hearing to Contemplate Summary Suspension of Medical License.
4. In lieu of an evidentiary hearing as scheduled at 3:00 p.m. on December 29, 1988, Defendant voluntarily agreed to immediately surrender and suspend his Oklahoma Medical License for the period of time until the Defendant applies to the Board for hearing on the merits of the allegations pending in the aforesaid Complaint and Citation.
5. Defendant denies generally and specifically each and every allegation of fact alleged in the Complaint and Citation, and the Board takes judicial notice of the Defendant's denial, and the Board makes no finding or judgment at this time as to any allegation in the Complaint and Citation.
6. While the Defendant's Medical License is suspended, the Defendant may not practice medicine or surgery, and further the Defendant cannot hold himself out as a physician and surgeon.
7. Defendant agrees during the time his license is suspended to not seek licensure as a physician or surgeon in any

other jurisdiction or to practice medicine and surgery in any other jurisdiction until the allegations pending in the Complaint and Citation have been heard and judgment rendered by the Board.

8. That on December 29, 1988, Defendant did surrender to Board General Counsel, and Board General Counsel does hereby acknowledge receipt of Defendant's Medical License Certificate No. 8945 dated February 12, 1969, and framed in a black frame, Defendant's wallet renewal card identifying him as a physician licensed in the State of Oklahoma through the time period June 30, 1989, Defendant's Registration No. 001582 issued by the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control that carries an expiration date of October 31, 1988, and the Defendant's Controlled Substances Registration Certificate issued by the United States Department of Justice Drug Enforcement Administration, Washington, D.C., that includes the Defendant's DEA Registration No. AB2146202 that expires July 31, 1989. The Investigation Division of the Board will hold those materials pending final determination by the Board of the allegations pending in the aforesaid Complaint and Citation.

9. The Board will hold in abeyance any determination as to the Defendant's payments of the costs of investigation and prosecution as allowed by law.

CONCLUSIONS OF LAW

1. That action taken by the Board on the instant case is within the specific authority of the Board to impose sanctions, 59 O.S. Supp. 1988, Sec. 506.

ORDER

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

1. That the Defendant, Robert Gary Bottomley, M.D., Oklahoma Medical License No. 8945, will be and is hereby suspended from practicing in Oklahoma as a licensed physician and surgeon, and said suspension will continue for the period of time until the Defendant applies to the Board for rehearing on the merits of the allegations pending in the Complaint and Citation served on the Defendant on December 23, 1988, and on file herein.

2. The Board takes judicial notice of the Defendant's denial of charges, and the Board makes no finding or judgment at this time as to any allegation alleged in the Complaint and Citation.

3. During this period of suspension the Defendant cannot practice medicine and surgery in the State of Oklahoma, and further the Defendant cannot hold himself out as a physician and surgeon.

4. That the Defendant shall not seek licensure as a physician and surgeon in any other jurisdiction or practice medicine and surgery in any other jurisdiction until the allegations pending in the aforesaid Complaint and Citation have been heard and judgment rendered by the Board.

5. That the Board acknowledges receipt of the Defendant's Medical License Certificate No. 8945, and the other documents set forth above, and directs the Investigation Division to hold those materials pending final determination of the allegations of the Complaint and Citation herein.

6. That the Board specifically holds in abeyance any determination as to the Defendant's payment of the costs of investigation and prosecution of this action as allowed by law.

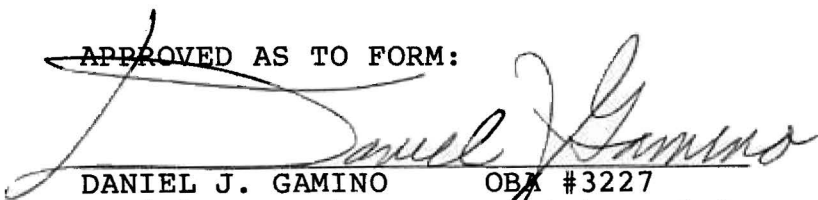
7. That the jurisdiction of the Board in this individual proceeding will continue during subsequent proceedings until a final judgment is rendered by the Board and fulfilled.

DATED this 19 day of January, 1989, but effective as of December 29, 1988.

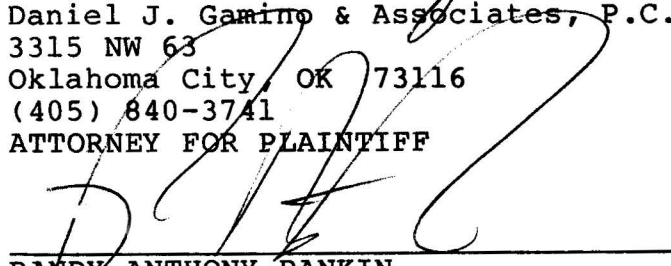


GERALD C. ZUMWALT, M.D., Secretary
State Board of Medical Licensure
and Supervision

APPROVED AS TO FORM:



DANIEL J. GAMINO OBA #3227
Daniel J. Gamino & Associates, P.C.
3315 NW 63
Oklahoma City, OK 73116
(405) 840-3741
ATTORNEY FOR PLAINTIFF



RANDY ANTHONY RANKIN
Attorney at Law
1515 S. Denver
Tulsa, OK 74119
(918) 599-8118
ATTORNEY FOR DEFENDANT



ROBERT GARY BOTTOMLEY, M.D.
DEFENDANT