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.) CASE NO. 95-07-1726
MARY ANN GILLIAM, M.D. Medical License No. 9089,	
Defendant.)

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ORDER OF CONTINUANCE AND ALLOWING INTERVENTION

This cause came on for consideration before the Oklahoma Board of Medical Licensure and Supervision on September 16, 1995, at the office of the Oklahoma State Board of Medical Licensure and Supervision, 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 Mary Ann Gilliam, M.D., Defendant, appeared by way of announcement of legal counsel, Stan Twardy, Attorney at Law, 1400 N. Shartel, Oklahoma City, OK 73103, and W.A. Drew Edmondson, Attorney General of Oklahoma, by Gary A. Gingrich, Assistant Attorney General, 4545 N. Lincoln Blvd., Suite 260, Oklahoma City, OK 73105.

The Oklahoma Board of Medical Licensure and Supervision en banc reviewed pleadings and exhibits, and considered statements of legal counsel, and being fully advised in the premises, the Board of Medical Licensure and Supervision finds and orders as follows:

FINDINGS OF FACT

1. That Defendant, Mary Ann Gilliam, M.D., holds Oklahoma Medical License No. 9089.

2. That the Oklahoma 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 heretofore the Attorney General of Oklahoma had made Application to Intervene or Appear as Amicus Curiae and to be Included Upon the Board's Agenda. The application of the Attorney General was found to have merit and said application was granted over the objection entered by legal counsel for Defendant.

4. That Defendant legal counsel sought continuance of the evidentiary hearing scheduled for September 16, 1995, and further agreed that the Defendant's medical license would be suspended until the next meeting of the Oklahoma Board of Medical Licensure and Supervision presently scheduled for November 17-18, 1995, and the Defendant thereby would not practice medicine and surgery in the State of Oklahoma during that interim time period. 5. That based upon the representations of legal counsel as to temporary suspension and that Defendant would not practice medicine and surgery in the interim period, legal counsel for the Plaintiff and the Attorney General agreed to continuance of the evidentiary hearing.

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6. That the grounds for the continuance and the representations made by Defendant's legal counsel were sufficient to obtain continuance of the evidentiary hearing herein.

CONCLUSIONS_OF LAW

1. That under the legal authority of 74 O.S. Supp. 1995, Sec. 20(i), the Attorney General of Oklahoma may intervene or appear as Amicus Curiae in the instant case.

2. That the Board has jurisdiction of this matter pursuant to the Oklahoma Medical Practice Act, 59 O.S. Supp. 1994, Sec. 481 et seq., and that continuance of a hearing is within the sound discretion of the Board and that the evidence presented herein does support continuance of evidentiary hearing.

ORDER

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

1. That the Application of the Attorney General of Oklahoma to Intervene or Appear as Amicus Curiae and to be Included Upon the Board's Agenda should be and is hereby GRANTED.

2. That hearing on the matter involving Defendant, Mary Ann Gilliam, M.D., holding Oklahoma Medical License No. 9089, should be and the same is hereby CONTINUED until the next meeting of the Oklahoma Board of Medical Licensure and Supervision presently scheduled for November 17-18, 1995.

3. That until the next meeting of the Board, Oklahoma Medical License No. 9089 of Defendant, Mary Ann Gilliam, M.D., should be and is hereby TEMPORARILY SUSPENDED and the Defendant shall not practice medicine and surgery in the State of Oklahoma until further order of this Board./ ,

DATED this 2 m day of Octob

GEORGE M. BROWN, JR., M.D., Secretary State Board of Medical Licensurg and Supervision

PPROVED AS TO FORM: DANIEL J. GAMINO OBA #3227

DANIEL J. GAMINO 5 OBA #3227 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 a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this <u>3</u> day of $QCT \cdot$, 1995, to:

STAN TWARDY Attorney at Law 1400 N. Shartel Oklahoma City, OK 73103

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W.A. DREW EDMONDSON Attorney General of Oklahoma Gary A. Gingrich Assistant Attorney General 4545 N. Lincoln Blvd. Suite 260 Oklahoma City, OK 73105.

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