

IN AND BEFORE THE STATE BOARD OF MEDICAL EXAMINERS

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel,  
STATE BOARD OF MEDICAL  
EXAMINERS,

Plaintiff

JOHN B. FREIDENBERGER, M.D.,  
Medical License No. 9270,

Defendant.

ORDER AMENDING TERMS OF PROBATION

This cause came on for hearing before the Oklahoma Board of Medical Examiners en banc on January 16, 1987, 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 by announcement and not in person and was not represented by counsel.

The Board of Medical Examiners en banc heard the testimony and reviewed exhibits and being fully advised in the premises, the Board of Medical Examiners therefore finds as follows:

FINDINGS OF FACT

1. That John B. Freidenberger, M.D., holds Oklahoma Medical License No. 9270.
2. That the Board of Medical Examiners 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 Defendant was placed on probation for a term of five (5) years on May 21, 1983, under the general requirements that he refrain from the use of alcohol, continue participation in Alcoholics Anonymous, submit biological specimens for analysis when requested, take no drugs or medication unless prescribed by another physician and report to the Board or designee thereof when regulated.
4. Following notice and hearing on September 5, 1986, Defendant was found in violation of the Oklahoma Medical Practice Act for habitual intemperance or habitual use of habit forming drugs and ordered to remain on probation under the additional stipulations that he had the affirmative duty to advise all treating physicians of his prior dependency disease and that his disease was polychemical and that during the period of probation he would take no scheduled drugs.
5. That no blood samples should be required for the reason that the Defendant was never convicted of any alcohol-related offense and the blood samples therefore are not necessary to protect the public health, safety and welfare and to insure his appropriate exercise of medical practice.

CONCLUSIONS OF LAW

1. That John B. Freidenberger, M.D., is lawfully under the jurisdiction of the Board of Medical Examiners for a term of five (5) years beginning on May 21, 1983, however the Board may amend that probation by making appropriate findings.

ORDER

IT IS THEREFORE ORDERED by the Board of Medical Examiners of Oklahoma as follows:

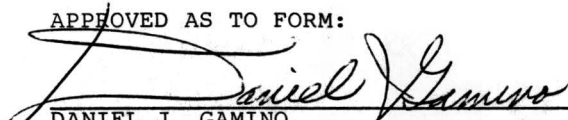
1. That the terms of probation originally set forth by the Board for a period of five (5) years on May 21, 1983, and reiterated on September 5, 1986, should be and the same are hereby amended in that investigators will no longer be required to obtain blood samples from the Defendant.

2. All other terms and conditions of probation as set forth by the Board following hearing on May 21, 1983, and September 5, 1986, still remain in force and effect as if fully set out herein.

DATED this 9<sup>th</sup> day of February, 1987.

  
MARK R. JOHNSON, M.D., Secretary  
State Board of Medical Examiners

APPROVED AS TO FORM:

  
DANIEL J. GAMINO  
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 on the 16 day of March 1987, I deposited in the U.S. Mails, postage prepaid, a true and correct copy of the above and foregoing instrument addressed to:

John B. Freidenberger, M.D.

2620 Ridge Oak Road

Sapulpa, Okla. 74066

