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.

STANLEY J. DOMBEK, JR., M.D.) CASE NO. 88-6-656 Medical License No. 9647,

Defendant.

ON REVIEW OF COMPLIANCE EFFORTS

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision en banc on February 2, 1990, at the office of the Oklahoma State Medical Association, 601 N.W. Expressway, 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 Stanley J. Dombek, Jr., M.D., Defendant, appeared pro se by announcement only on his compliance efforts.

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

FINDINGS OF FACT

- 1. That Defendant, Stanley J. Dombek, Jr., M.D., holds Oklahoma Medical License No. 9647.
- 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 or around June 9, 1989, following notice and hearing, the Board issued a Final Order on the aforesaid Defendant, Stanley J. Dombek, Jr., M.D., holding Oklahoma Medical License No. 9647. The Order placed Defendant on a term of three(3) years probation beginning on June 9, 1989, under terms and conditions that included the following, to-wit:
 - "(d) During the period of probation Defendant will submit biological fluid specimens to include, but not limited to, blood and urine, for analysis, upon request of any investigator or other agent representing the Oklahoma State Board of Medical Licensure and Supervision, and Defendant will pay for testing and analysis of those specimens.
 - (k) During the period of probation Defendant shall notify any hospital where he holds staff privileges or clinic or group where he practices of the terms and conditions of this Board Order and supply a copy thereof."

- 4. Said Final Order is still in force and effect and has not been amended, modified or vacated by the Board.
- 5. Following notice and hearing on or around September 21, 1989, the Board found that Defendant failed to comply with terms of the Board Order concerning collection of bodily fluids and in informing hospital administrators of Board action, however said actions were not found to have willfully violated the Board's Order and therefore Defendant was not in contempt thereof and therefore no finding of contempt was made and no punitive action or additional sanction was taken against the Defendant.
- 6. That the Board staff was ordered to review compliance efforts of the Defendant henceforth and should report to the Board within six months of the nature and extent of Defendant's fulfillment of terms and conditions enumerated in the Board's Order following hearing on June 9, 1989, to determine Defendant's fulfillment of the aforesaid terms and conditions.
- 7. That Ralph Baldwin, Compliance Consultant, testified that Defendant had been in compliance with the terms of the Board Order in submitting of biological fluids and monthly reports. No further action was recommended.

CONCLUSIONS OF LAW

- 1. That under the Oklahoma Medical Practice Act, 59 O.S. Supp. 1989, Sec. 481 et seq., the Board has authority to monitor compliance with terms and conditions of its own prior orders.
- 2. That the aforesaid testimony and evidence is merely a report to the Board as requested by the Board and does not constitute any basis for any additional sanction against the Defendant.

ORDER

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

- 1. That the Defendant, Stanley J. Dombek, Jr., M.D., Oklahoma Medical License No. 9647, remains under probation under the terms and conditions set forth in the Board Order following hearing on June 9, 1989.
- 3. That a copy of this order should be forwarded to the Defendant for his records and filed of record with the Oklahoma Board of Medical Licensure and Supervision.

DATED this 23 day of February, 1990.

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.

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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 23 day of February, 1990, to:

STANLEY J. DOMBEK, JR., M.D. 2801 Parklaum DR

Suite 204, Midwest City 73110

Janet L O wens