Agenda

Board of Medical Licensure and Supervision

Virtual Regular Meeting
September 10, 2020

This virtual regular meeting is being held consistent with the amendments to the Open Meeting Act, 25 O.S.2011, § 301 et seq, signed into law by Governor Stitt on Wednesday, March 18, 2020. See SB661, 2020 O.S.L. 3, § 3

Website: okmedicalboard.org

Link to access meeting: https://osbmls.webex.com/osbmls/onstage/g.php?MTID=e5b3a73da52aade56b22bcb90c9e8a587

Event number (access code): 146 830 9948
Event password: 7455277

Thursday, September 10, 2020 9:00 am, Central Daylight Time (Chicago, GMT-05:00)

Join the audio conference only
+1-415-655-0001 US Toll

Link to access meeting materials: https://www.okmedicalboard.org/notebook

The Board may discuss, vote to approve, vote to disapprove, vote to table, change the sequence of any agenda item, or vote to strike or not discuss any agenda item.

*INDIVIDUAL PROCEEDINGS: Review and action on all agenda items noted for individual proceedings. In all agenda items noted for individual proceedings, a majority of a quorum of Board members, in a recorded vote, may call for closed deliberations for the purpose of engaging in formal deliberations leading to an intermediate or final decision in an individual proceeding under the legal authority of Oklahoma state statutes, to wit: Article II of the Oklahoma Administrative Procedures Act, 75 O.S. §309 and the Oklahoma Open Meeting Act, 25 O.S. §307(B)(8).

Board members participating:

James Brinkworth, MD, via videoconference
Mr. Clayton Bullard via videoconference
Susan Chambers, MD, via videoconference
Louis Cox, MD, via videoconference
Mark Fixley, MD, via videoconference
Mr. Robert Howard via videoconference

Mr. Jeremy Hall via videoconference
Mr. Trevor Nutt via videoconference
David Vanhooser, MD, via videoconference
Ann Warn, MD, via videoconference
Don Wilber, MD, via videoconference
9:00 A.M.

- Meeting called to order
- Opening remarks – Lyle Kelsey, Executive Director
- Board Advisor Comments – Robert C. Margo, JD
- Review, discussion and possible action – Minutes of the July 30, 2020 Meeting
- Review, discussion and possible action – Request of NITIN SAWHNEY, MD, to supervise up to ten (10) Advanced Practice Registered Nurses

I. INITIAL APPLICATIONS FOR LICENSURE

- BRETT SNODGRASS, applicant, full medical licensure
- KEVIN ROSENBLATT, applicant, special medical licensure

II. INDIVIDUAL PROCEEDINGS

A. DISCIPLINARY MATTERS

- *DOUGLAS RANDALL BROWN, MD – Disciplinary hearing based on allegations of indiscriminate or excessive prescribing, dispensing or administering of controlled or narcotic drugs; prescribing, dispensing or administering of controlled substances or narcotic drugs in excess of the amount considered good medical practice, or prescribing dispensing or administering controlled substances or narcotic drugs without medical need in accordance with published standards; dispensing, prescribing or administering a controlled substance or narcotic drug without medical need; improper management of medical records; and failure to provide a proper setting and assistive personnel for medical act, including but not limited to examination, surgery, or other treatment.

- *KANG LU, MD – Disciplinary hearing based on allegations of fraud or misrepresentation in applying for or procuring a medical license or in connection with applying for or procuring periodic reregistration of a medical license, in violation of 59 O.S. § 508; fraud or misrepresentation in applying for or procuring a medical license or in connection with applying for or procuring periodic reregistration of a medical license, in violation of Okla. Admin. Code 435:10-7-4(8); procuring, aiding or abetting a criminal operation in violation of 59 O.S. § 509(1); failure to provide the Board all information required by the Board pursuant to statute, 59 O.S. § 495a.1, in violation of Okla. Admin. Code 435:10-7-10; failure to demonstrate to the Board the licensee’s continuing qualification to practice medicine and surgery by reporting to the Board...
any action taken against the licensee for acts or conduct similar to acts or conduct described in the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act as grounds for disciplinary action by: a) any jurisdiction or authority (United States or foreign) that licenses or authorizes the practice of medicine and surgery, b) any peer review body, c) any health care institution, d) any professional medical society or association, e) any law enforcement agency, f) any court, or g) any governmental agency, in violation of 59 O.S. § 495a.1; the conviction or confession of, or plea of guilty, nolo contendere, no contest or Alford plea to a felony or any offense involving moral turpitude, in violation of 59 O.S. 509(5); the conviction of a felony or any offense involving moral turpitude whether or not related to the practice of medicine, in violation of Okla. Admin. Code 435:10-7-4(10); dishonorable or immoral conduct which is likely to deceive, defraud, or harm the public, in violation of 59 O.S. § 509(8); conduct likely to deceive, defraud, or harm the public, in violation of Okla. Admin. Code 435:10-7-4(11); the violation, or attempted violation, direct or indirect, of any of the provisions of the Allopathic Medical and Surgical Licensure and Supervision Act, either as principal, accessory or accomplice, in violation of 59 O.S. § 509(13); disciplinary action of another state or jurisdiction against a license or other authorization to practice medicine and surgery based upon acts of conduct by the licensee similar to acts or conduct that would constitute grounds for action as defined in this section, a certified copy of the record of the action taken by the other state or jurisdiction being conclusive evidence thereof, in violation of Okla. Admin. Code 435:10-7-4(31); failure to report to the Board any adverse action taken against him or her by another licensing jurisdiction (United States of foreign), by any governmental agency, by any law enforcement agency, or by any court for acts or conduct similar to acts or conduct that would constitute grounds for action as defined in this section in violation of Okla. Admin. Code 435:10-7-4(32); failure to report to the Board surrender of a license or other authorization to practice medicine and surgery in another state or jurisdiction, or surrender of membership on any medical staff or in any medical or professional association or society while under disciplinary investigation by any of those authorities or bodies for acts or conduct similar to acts or conduct that would constitute grounds of action as defined in this section, in violation of Okla. Admin. Code 435:10-7-4(33); and violation of any provision(s) of the medical practice act or the rules and regulations of the Board or of any action, stipulation, or agreement of the Board in violation of Okla. Admin. Code 435:10-7-4(39).

*JAMES ALISTAR MITCHELL, MD – Disciplinary hearing based on allegations of a conviction of a felony or of any offense involving moral turpitude in violation of 59 O.S. § 509(5) and Okla. Admin. Code 435:10-7-4(10); fraud or misrepresentation in applying for or procuring a medical license or in connection with applying for or procuring periodic reregistration of a medical license in violation of 59 O.S. § 508 and Okla. admin. Code 435:10-7-4(8); conduct likely to deceive, defraud, or harm the public in violation of 59 O.S. § 509(8) and Okla. Admin. Code 435:10-7-4(11); the violation or attempted violation, direct or indirect, of any of the provisions of the Act, either as principal,
accessory or accomplice, in violation of 59 O.S. § 509(13); violation of any state or federal law or regulation relating to controlled substances in violation of Okla. Admin. Code 435:10-7-4(27); disciplinary action of another state or jurisdiction against a license or other authorization to practice medicine and surgery based upon acts of conduct by the licensee similar to acts or conduct that would constitute grounds for action as defined in this section, a certified copy of the record of the action taken by the other state or jurisdiction being conclusive evidence thereof in violation of Okla. admin. Code 435:10-7-4(31); violation of any provision(s) of the medical practice act or the rules and regulations of the Board of any action, stipulation, or agreement of the Board in violation of Okla. Admin Code 435:10-7-4(39); and procuring, aiding or abetting a criminal operation in violation of 59 O.S. § 509(1).

**KATHERINE MARIE MOXLEY, MD** – Disciplinary hearing based on allegations of conduct likely to deceive, defraud, or harm the public, in violation of Okla. Admin. Code 435:10-7-4(11); gross or repeated negligence in the practice of medicine and surgery in violation of Okla. Admin. Code 435:10-7-4(15); and any adverse judgment, award, or settlement, or award arising from a medical liability claim related to acts or conduct similar to acts or conduct that would constitute grounds for action as defined in this section in violation of Okla. Admin. Code 435:10-7-4(34).

**MARK STEPHEN WILSON, MD** – Disciplinary hearing based on allegations of habitual intemperance or the habitual use of habit-forming drugs; and the inability to practice medicine with reasonable skill and safety to patients by reason of drunkenness, excessive use of drugs, narcotics, chemicals, or any other type of material, and dependent upon the ruling in the disciplinary matter, possible oral Motion to Terminate Suspension.

**BRIAN ALLEN YEAMAN, MD** – Disciplinary hearing based on allegations of dishonorable or immoral conduct which is likely to deceive, defraud, or harm the public; prescribing or administering a drug or treatment without sufficient examination and the establishment of a valid physician-patient relationship, and not prescribing in a safe, medically accepted manner; prescribing, dispensing or administering of controlled substances or narcotic drugs in excess of the amount considered good medical practice or without medical need in accordance with pertinent licensing board standards; engaging in a physical conduct with a patient which is sexual in nature, or in any verbal behavior which is seductive or sexually demeaning to a patient; and failure to maintain an office record for each patient which accurately reflects the evaluation, treatment, and medical necessity of treatment of the patient.

### III. UNSCHEDULED ITEMS

Review, discussion and possible action – **Licensure applications** approved via Secretary/circularization *(Attachment #1 to agenda)*
Review, discussion and possible action – Re-registration applications previously approved pursuant to 59 O.S. § 495a.1 (Attachment #2 to agenda)

Review, discussion and possible action – Recommendation(s) of Board Secretary regarding re-registration applications pursuant to 59 O.S. § 495a.1 (Attachment #3 to agenda)

Review and discussion – Federation of State Medical Boards (Ethics and Professional Committee) Draft Policy re: Treatment of Self, Family Members and Close Relations

Ratify/approve Committee Recommendations
  - Occupational Therapy Advisory Committee
  - Registered Electrologist Advisory Committee
  - Athletic Trainers Advisory Committee
  - Physician Assistant Advisory Committee
  - Respiratory Care Advisory Committee
  - Therapeutic Recreation Committee

Executive Director’s report to the Board

New Business – any matter not known about or which reasonably could not have been foreseen prior to the required time of posting

Adjournment

September 11, 2020: If needed to complete items on Agenda