

# Results

## OKLAHOMA STATE BOARD OF MEDICAL LICENSURE & SUPERVISION SEPTEMBER 12, 2019

### Requests

Request of **SIAVASH NAEL, MD**, to supervise a third Advanced Practice Registered Nurse –  
*Granted*

Request of **TERENCE L. CAREY, MD**, to supervise a third Advanced Practice Registered Nurse –  
*Granted*

### Motion

**BRYAN ANDREW VAN DOREN, MD** – Defendant's Motion to Set Aside Agreement – *Granted on the factual basis asserted pending review and approval of the Oklahoma Attorney General*

### Probationary Matter

**GARY LOVELESS, LPO** – Final Probation Review – *Probation terminated*

### Applications for Licensure

**ALBERTO MANUEL MALDONADO**, applicant, full medical licensure – *Granted*

**JOSEPH MARKEY**, applicant, full medical licensure – *Tabling Order filed herein on August 12, 2019 remains in place*

**JAMES LAWRENCE FLECKENSTEIN, MD**, applicant, reinstatement of medical licensure - *Granted*

### Disciplinary Matters

**ZACHARIAH JESSIC ANDERSON, MD** – Agreed Order of Clarification regarding effective date of Surrender in Lieu of Prosecution filed herein on May 9, 2019 – *Approved*

**DOMINIC LOSACCO, MD** –

- Disciplinary hearing based on allegations of dishonorable or immoral conduct 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; 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; failure to maintain and office record for each patient which accurately reflects the evaluation, treatment, and medical necessity of treatment of the patient; failure to provide a proper and safe medical facility setting and qualified assistive personnel for a recognized medical act, including, but not limited to, an initial in-person patient examination, office surgery, diagnostic service or any other medical procedure or treatment, and adequate medical records to support diagnosis, procedure, treatment or prescribed medications must be produced and maintained; violating the criminal laws of this State, including 63 O.S. § 2-309D(G)(2)(a), when such act is connected with the physician's practice of medicine; indiscriminate or excessive prescribing, dispenses or administering a controlled substance or narcotic drug without medical need; except as otherwise permitted by law, prescribing, selling, administering, distributing, ordering or giving a habitue or addict or any person previously drug depending, any drug legally classified as a controlled substance or recognized as an addictive or dangerous drug; and improper management of medical records – *Surrender in Lieu of Prosecution accepted (effective 10/01/2019)*

- Plaintiff's Motion to Continue – *Mooted by ruling in disciplinary proceeding*
- Plaintiff's Motion to Reconsider – *Mooted by ruling in disciplinary proceeding*

**JAMES MELVIN GILBERT, 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; 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; failure to maintain an office record for each patient which accurately reflects the evaluation, treatment, and medical necessity of treatment of the patient; failure to provide a proper and safe medical facility setting and qualified assistive personnel for a recognized medical act, including but not limited to an initial in-person patient examination, office surgery, diagnostic service or any other medical procedure or treatment. Adequate medical records to support diagnosis, procedure, treatment or prescribed medications must be produced and maintained; indiscriminate or excessive prescribing, dispensing or administering of Controlled or Narcotic drugs; prescribing, selling, administering, distributing, ordering, or giving any drug legally classified as a controlled substance or recognized as an addictive or dangerous drug for other than medically accepted therapeutic purposes; except as otherwise permitted by law, prescribing, selling, administering, distributing, ordering, or

giving to a habitue or addict or any person previously drug dependent, any drug legally classified as a controlled substance or recognized as an addictive or dangerous drug; and violation of any provision(s) of the medical practice act or the rules and regulations of the Board or of an action, stipulation, or agreement of the Board – *Voluntary Submittal to Jurisdiction accepted*

**HOBERT STEVENS MILLER, RC** – Disciplinary hearing based on allegations of fraud or deceit in procuring or attempting to procure a renewal of a license to practice respiratory care; confession or plea of no contest to a drug related offense; and falsifying documents submitted to the Respiratory Care Advisory Committee or the Oklahoma State Board of Medical Licensure and Supervision – *Voluntary Submittal to Jurisdiction accepted*

**JAMES LAWRENCE FLECKENSTEIN, MD** – Disciplinary hearing on allegations of procuring, aiding or abetting a criminal operation; habitual intemperance or the habitual use of habit-forming drugs; confession to a crime involving a violation of the anti-narcotic laws of the federal government or the laws of this state; engaging in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public; the commission of any act which is a violation of the criminal laws of any state when such act is connected with the physician's practice of medicine; the writing of false or fictitious prescriptions for any drugs or narcotics declared by the laws of this state to be controlled or narcotic drugs; prescribing a drug without sufficient examination and establishment of a valid physician-patient relationship; the inability to practice medicine with reasonable skill and safety to patients by reason of age, illness, drunkenness, excessive use of drugs, narcotics, chemicals, or any other type of material or as a result of any mental or physical condition; 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; adequate medical records to support diagnosis, procedure, treatment or prescribed medications must be produced and maintained; prescribing any regulated substance in Schedule I through V, as defined by the Uniform Controlled Dangerous Substances Act, for the physician's personal use; 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; and using a false, fraudulent or deceptive statement in a document connected with the practice of medicine and surgery – *Voluntary Submittal to Jurisdiction accepted*

**SHAFEEQ SHEIKH, MD** – Disciplinary hearing based on allegations of conviction of a felony or of any offense involving moral turpitude; dishonorable or immoral conduct which is likely to deceive, defraud, or harm the public; the commission of any act which is a violation of the criminal laws of any state when such act is connected with the physician's practice of medicine; engaging in physical conduct with a patient which is sexual in nature, or in any verbal behavior which is seductive or sexually demeaning to a patient; commission of any act of sexual abuse, misconduct, or exploitation related or unrelated to the licensee's practice of medicine and surgery; and engaging in predatory sexual behavior – *License*

*revoked without the right to reapply pending review and approval of the Oklahoma Attorney General*

## Other

**Board Meeting Minutes of August 1, 2019 – Approved**

**Applications approved by the Secretary/circularization (Attached to agenda) – Ratified**

**Music Therapy Committee recommendations – Ratified**

**Physician Assistant Advisory Committee recommendations – Ratified**

**Respiratory Care Advisory Committee recommendations – Ratified**

**Therapeutic Recreation Committee recommendations – Ratified**

**Athletic Trainers Advisory Committee recommendations – Ratified**

Appointment of **Kyle Toal, MD**, to the **Oklahoma State Board of Examiners of Perfusionists** to fulfill the remainder of the term of Michael Sasevich, MD, which is set to expire on July 1, 2022, pursuant to *Title 59 O.S. § 2053 (C)(3) and (E)*

Re-appointment of **Lisa Reily Burroughs, LD**, to the **Advisory Committee on Dietetic Registration** to a three-year term to fill the seat currently held by her, which is set to expire on September 22, 2019, pursuant to *Title 59 O.S. § 1723*

**Oklahoma Medical Board Financials FY2019 – Approved**