

Oklahoma State Board of Medical Licensure and Supervision

The Role of Your Medical Licensure Board

Oklahoma State Board of Medical Licensure and Supervision

Est. 1923 – 2023 Centennial

**“Serving the Professional
while Protecting the Public”**

State agency charged by the Oklahoma Legislature to:

- A) Assure that applicants for a license meet the qualifications and requirements specified in the medical practice act.**

- B) Protect the public (patients) through disciplining a licensee guilty of unprofessional conduct.**

Oklahoma State Board of Medical Licensure & Supervision

Anesthesiologist Assistant

Licensed Athletic Trainer

- a. Apprentice Athletic Trainer

Licensed Dietitian

- a. Provisionally Licensed Dietitian

Licensed Perfusionists

- a. Provisionally Licensed Perfusionists

MEDICAL DOCTOR

- a. Full Unrestricted Medical Doctor
- b. Volunteer Medical Doctor
- c. Training License
- d. Unique Special Licensed Physician

Physician Assistant

Occupational Therapist

- a. Occupational Therapy Assistant

Licensed Podiatrists

Board of Licensed Perfusionists

Board of Licensed Podiatrists

Physical Therapist

Physical Therapist Assistant

Recreational Therapists

Registered Electrologists

Respiratory Care Practitioner

Provisional Respiratory Care Practitioner

•Licensed Podiatrists

•Physical Therapist

1. Physical Therapist Assistant

•Recreational Therapists

•Registered Electrologists

•Respiratory Care Practitioner

1. Provisional Respiratory Care Practitioner

•Licensed Prosthetist/Orthotist

•Licensed Orthotist

•Licensed Prosthetist

1. Registered Prosthetist/Orthotist Assistant

2. Registered Prosthetist Assistant

3. Registered Orthotist Assistant

4. Registered Technician - Prosthetic/Orthotic

5. Registered Technician - Prosthetic

6. Registered Technician – Orthotic

a. Provisional Licensed Orthotist

b. Provisional Licensed Prosthetist/Orthotist

•Radiologist Assistant

•Music Therapists - 2016

Oklahoma State Board of Medical Licensure & Supervision

Current Contracts with Medical Board:

1. **Podiatrist – 1989 – Contract*

1. **Licensed Perfusionists – 1996 - Contract*
 - a. Provisionally Licensed Perfusionists

Other:

***Contract with Oklahoma Board of Licensed Social Workers – 2002 to current**

***Contract with Oklahoma Board of Alcohol and Drug Counselors – 2004 to current**

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© Discussion of the Medical Practice Act and Board function

- O.S. Title 59: 480-518 – **Law** – What?
- OAC Title 435: Chap 1, 3, 5, & 10 – **Rules** – How?
 - Licensure issues – qualifications & types
- Basic Board duties and function, Board Meetings,
Board Advisor – Robert Margo, JD
 - Between Board Meetings (circularization)

The Medical Practice Act

- ⦿ **Renewal** (annually)
- ⦿ **Complete & accurate renewal application: series of questions** (only previous year)
- ⦿ **Compliance with CME** (60 hours in previous 3 years)
- ⦿ Compliance with Medical Treatment Act & Pain Management –
 - ⦿ one hour each year – Pain Management or Addiction Medicine
- ⦿ **Compliance with the Oklahoma Tax Commission**
- ⦿ **No grace period for renewal**
 - **Due on or before (60 days) the 1st of the renewal month**
 - **2nd day the license is placed inactive (can not practice)**
 - **Within the next 60 days license can be activated w/a late fee**
 - **After 60 days, the license is suspended – reinstated by board**

The State Medical Board Complaint Process

- ◎ **Board Office receives a complaint** - Patient, Family, professional, Public, etc.
- ◎ **Board staff * determination to close or open investigation.**
* Board Secretary, Director, Dep Dir. Legal & Investigative staff
- ◎ **Investigation to gather** facts, records, depositions, witness interviews, etc.
- ◎ **Board staff determination to close, issue a “Letter of Concern” or file a formal Complaint & Citation.**

Complaint Process (cont'd)

- ◎ Board staff available to meet with the doctor and/or lawyer about the complaint.
- ◎ From the above meeting, determination to present a settlement agreement “*Voluntary Submittal to Jurisdiction*” (VSJ)* to the Board or schedule a full hearing with the Board. * (All VSJ’s must be accepted, modified, or rejected by the full Board)
- ◎ **Medical Board Hearing to determine disposition.**
- ◎ *Case could be dismissed*

The Medical Practice Act – LAW & RULES

◎ Composition and duties of the Board

- 11 members: 7 MDs & 4 public members
 - Appointed by the Governor
 - 7-year terms @ no compensation
- Public members coterminous with Governor
 - Final authority on all issues of licensure and discipline
 - Board en banc serves as Judge and Jury in all disciplinary hearings.
 - Board en banc or by circularization decides on the issuance of all licenses.
 - (exception: Board Secretary can issue 1st year training licenses can hold it for Board decision if problem applicant)
 - Determines Board policy, rules, and law.

The Oklahoma Medical Board

Board Meetings are held 7 times a year (every other month starting January with a special applications meeting in June).

(Open Meetings)

Board Meetings are scheduled for three days*.

(Thursday, Friday, and Saturday)

(exception: June is one-day)

*discuss scheduling

◎ Issues dealing with denial of licensure

- **Reconsideration by the Board of a denied license** (Board member or applicant w/ new information)
- **Appeal process: District Court** (application)
- **Practicing without a license: (Fine, District Attorney)**

The Medical Practice Act

◎ Issues dealing with Unprofessional Conduct

- **Complaint & Citation:** (formal action) - Public File
- **Board Hearings:** open meeting & public record
- **Appeal process:** Oklahoma Supreme Court
- **Top categories:**
 - Substance abuse
 - Prescribing issues
 - Quality of Care

Volume of Complaints (not formal citations)

Receive approximately 700 - 800 per year

Attitude of physician & office staff

Substance Abuse and/or Use*

* OSMA Oklahoma Health Profession Program

Related: Probation violations

Quality of Care issues

Inappropriate medical treatment

Questionable competence or skills

Sexual Misconduct

Disruptive physician behavior

Patient abandonment

Physicians Treating Self or Family

Unprofessional Conduct

“Prescribing, selling, administering, distributing, ordering, or giving any drug legally classified as a controlled substance or recognized as an addictive dangerous drug to a family member or to himself or herself...**except outside the second degree of consanguinity** (Blood Relative) **or affinity** (Marriage)...**or medical emergency**”

Caution for treating family and relatives

Lack of true doctor/patient relationship

Lack of appropriate physical examination

Lack of appropriate testing

Lack of medical chart

Lack of medical objectivity

Medical Board Staff

Lyle Kelsey, MBA, CAE, CMBE, Executive Director

Billy Stout, MD, Board Secretary

Emery Reynolds, MD, Medical Advisor

Support Staff (FTE)

Executive Department – 6

Legal Department – 4 lawyers, Legal staff

Licensing Department – 8

Investigations Department – 5

Business Office – 4

IT Department – 0 (2 PT Contract)

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**100-year Centennial
1923-2023**

Medical Board Web Site:

www.okmedicalboard.org



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HEALTHCARE SUMMIT

Lyle Kelsey