

*Hot Topics: We Are From
Your Licensure Board –
And We Are Here To Help!*



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Hot Topic



The number of **independent physicians in U.S. rural areas** fell 43%, from 21,956 in January 2019 to 12,467 in January 2024. Similarly, the number of **medical practices in rural areas** declined 11% from 30,000 in January 2019 to 26,700 in January 2024.

Scope of Practice

- Advanced Practice Registered Nurse (APRN)
- Physician Assistant (PA)
- Psychologist
- Certified Registered Nurse Anesthetist (CNRA)
- Paramedics/EMT
- Pharmacist

"Scope of practice erosion of doctor care" refers to a situation where the range of medical procedures and responsibilities that a doctor is normally allowed to perform is invaded by less trained medical practitioners. Expanded practice rights are increasingly being granted to other healthcare providers like nurse practitioners, which can **potentially lead to a decrease in the quality or complexity of patient care provided by physicians.**



Expedited Partner Therapy (EPT) Guidelines

Physician / Patient Relationship Guidelines



80 Physicians
No appeal has ever been successful




DOUBLE SECRET PROBATION



MD's Most Common Complaints*

- Standard of Care
- **Improper Prescribing****
- Incompetence
- Billing/Fraud
- **Substance Abuse and Addiction****
- **Sexual Misconduct or Boundaries Violations****
- **Criminal Activity****

Administrative:

- Failure to Renew Timely or Failure to Complete CME*
- (Tip: Use CE Broker)

* Complaints can have multiple categories

**Most disciplined in last three years



Should you prescribe to family? No



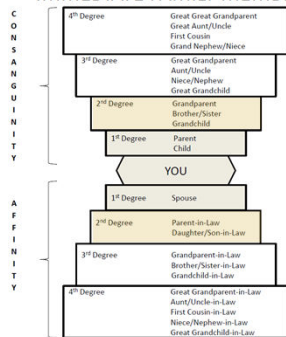
OAC 435:10-7-4(26):

(26) 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. Provided that this paragraph shall not apply to family members outside the second degree of consanguinity or affinity. Provided further that this paragraph shall not apply to medical emergencies when no other medical doctor is available to respond to the emergency.

• OMB interprets OUTSIDE THE 2ND DEGREE to mean that you CANNOT prescribe to those in the 1st and 2nd degree of consanguinity or affinity, but you CAN prescribe to those in the 3rd.

See OBND Rule - OAC 475:30-1-3(d)
same rule for controlled drugs

IMMEDIATE FAMILY MEMBERS



Note: Step relationships (step-brother, step-father, etc.) are considered to be blood relationships.

Oklahoma Health Professionals Program, Inc



- OHPP, Inc. is an outreach program designed to support and monitor medical and other health professionals throughout Oklahoma
- Nonprofit organization
- Help providers stay in practice or return to practice
- Voluntary or Mandatory (by a Board)
- Voluntary help accomplished without a report to state licensing boards.
 - Overall success rate is greater than 95%.
- Professions represented: MD, DO, PA, DDS, DVM
- Office phone: 405-601-2536
- <https://okhpp.org/>

Allied Professional Peer Assistance Program

- A confidential program to assist allied professionals licensed by the Oklahoma State Board of Medical Licensure and Supervision.
 - Any allied profession such as PT, OT, Dietician, Respiratory Care Practitioners etc.
 - PAs typically join OHPP
- Monitoring for abuse of drugs or alcohol
- Typically, voluntary but could be mandated by OMB
- okassist.org or email appa@okassist.org
- Created in legislation under Title 59, Section 518.1



New License Structure for D.O.'s



Full License
Resident Training License
Advanced Resident License
Emeritus License
Volunteer License
Temporary License
Faculty License

New CME System for D.O.'s



Dispensing Permits



59 OK Stat § 355.1 – Dispensing Dangerous Drugs – Professional Samples – Applicability of Section.

A. ... only a **licensed practitioner may dispense dangerous drugs to such practitioner's patients**, and only for the expressed purpose of serving the best interests and promoting the welfare of such patients. The dangerous drugs shall be dispensed in an appropriate container to which a label has been affixed. Such label shall include the name and office address of the licensed practitioner, date dispensed, name of patient, directions for administration, prescription number, the trade or generic name and the quantity and strength, not meaning ingredients, of the drug therein contained; provided, this requirement shall not apply to compounded medicines. The licensed practitioner shall keep a suitable book, file or record in which shall be preserved for a period of not less than five (5) years a record of every dangerous drug compounded or dispensed by the licensed practitioner.

B. A prescriber desiring to dispense dangerous drugs pursuant to this section **shall register annually** with the appropriate licensing board as a dispenser, through a regulatory procedure adopted and prescribed by such licensing board.

C. A prescriber who dispenses professional samples to patients shall be exempt from the requirement of subsection B of this section if:

1. The prescriber furnishes the professional samples to the patient in the package provided by the manufacturer;
2. No charge is made to the patient; and
3. An appropriate record is entered in the patient's chart.





How do prosecutions happen at OMB?

- Staff receives a complaint
- Complaint reviewed and screened in or out for investigation
- Staff investigator investigates
- Investigation presented for review and screened in or out for discipline
- Case submitted to Assistant Attorney General (AAG) who determines if case will be filed. If yes, then AAG files a Complaint and Citation (C&C) with OMB.
 - C&C will be served, usually by process server
 - An Answer to the C&C is due in 20 days
- Three options:
 - Proceed to hearing, or
 - Enter to Voluntary Submittal of Jurisdiction, or
 - Surrender in Lieu of Prosecution.

What Penalties are Possible from OMB?

- Revocation with or without the right to reapply
- Suspension
- Probation
- Reprimand
- Limitation on Practice
- Administrative Fine
- Letter of Concern with or without appearance
- Training, Evaluation or Treatment
