

IN AND BEFORE THE OKLAHOMA STATE BOARD
OF MEDICAL LICENSURE AND SUPERVISION
STATE OF OKLAHOMA

FILED

DEC 27 2013

STATE OF OKLAHOMA)
EX REL. THE OKLAHOMA BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION)

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff,)

Case No. 10-09-4074

v.)

JUAN LASES, M.D.,)
LICENSE NO. 10828,)

Defendant.)

VOLUNTARY SURRENDER OF LICENSE
IN LIEU OF PROSECUTION

State of Oklahoma)
)
_____ County)

I, Juan Lases, M.D., being of lawful age and after first being duly sworn, depose and state as follows:

1. I hereby voluntarily surrender my Oklahoma medical license no. 10828.

2. The surrender of my license is freely and voluntarily made. I have not been subject to any coercion or duress, and I am fully aware of the consequences of the surrender of my license.

3. I am the subject of a Complaint filed by the Oklahoma State Board of Medical Licensure and Supervision involving allegations that if proven, would constitute grounds for disciplinary action by the Board.

4. The allegations to which I have plead guilty are as follows:

A. Defendant, Juan Lases, M.D., holds Oklahoma license no. 10828 and at the time of the events in question, practiced family medicine and pediatrics in Oklahoma City, Oklahoma.

B. On August 26, 2010, Patient RPM came to Defendant's office for a scheduled visit to determine if she was pregnant and have her legs examined because they were swollen. During this appointment, Defendant asked her how frequently she has intercourse. He then asked her to drop her pants to her knees

so that he could examine her legs. At this time he began breathing heavy as he aggressively massaged her thighs. Patient RPM then expressed to the Defendant that she was uncomfortable and pulled her pants up and got off the exam table.

C. As Patient RPM continued to become concerned the Defendant then asked to see her "boobies" and she advised him that she did not want him to look at or touch her breasts. The Defendant then said he needed to because sometimes pregnant women's breast will be swollen or have milk, however, she refused.

D. The Defendant then advised Patient RPM that "I'm the doctor and you are the patient and you have to trust me. You are not cooperating with me. You need to be flexible with me. If you don't let me touch your body and see what happened, then we won't know what you have." Patient RPM then advised the Defendant that all she wanted to know was whether or not she was pregnant and Defendant replied that he would give her a blood test, but needed to check her first.

E. The Defendant had Patient RPM lie face down on the exam table in order to examine her kidneys. He told her on multiple occasions to relax he then asked her several times if it hurt. Defendant then left the room to answer a call from his cell phone.

F. Upon returning he asked Patient RPM to turn her back towards him so he could check her kidneys. The Defendant continued to palpate down her back with both hands. He continued to palpate over the same places and continued to ask if it hurt. That is when she looked over her right shoulder and saw the Defendant's left hand on his exposed penis while his right hand was touching her back.

G. Patient RPM described his penis as semi-erect and described his pubic hair as black and grey. She said the Defendant just stood there and waited for her reaction, like he wanted to see how she would react. She immediately jumped off the exam table and called 911.

H. On or about August 26, 2010, Patient RPM reported to the Oklahoma City Police Department that during a visit to the Defendant's office she was sexually assaulted and that the Defendant exposed himself to her.

I. On or about September 9, 2010, Oklahoma City Police Department sex crimes detectives executed a search warrant on the office of the Defendant. Evidence seized from the premises included the following: (1) manila folder in the name of RPM, with pregnancy test, progress notes, admission slip and billing information; (2) sexually explicit items found in the desk drawer of the Defendant were photographed.

J. November 17, 2010, *Information* was filed by the Oklahoma County District Attorney's Office, *State of Oklahoma, Plaintiff, v. Juan Lases, Defendant,*

CF-2010-7402 in the District Court of Oklahoma County, Oklahoma. The *Information* charges Juan Lases with **COUNT 1: SEXUAL BATTERY A FELONY** and **COUNT 2: INDECENT EXPOSURE A FELONY**.

K. May 24, 2012, the Defendant entered into a blind plea of no contest to both counts alleged in the *Information* and on July 13, 2012, Kenneth Watson, Oklahoma County District Court Judge sentenced the Defendant in **COUNT 1 SEXUAL BATTERY** to five (5) years suspended sentence and **COUNT 2: INDECENT EXPOSURE** to ten (10) years to do in the Oklahoma Department of Corrections and five (5) years suspended. Count two was ordered to run consecutive to count one.

L. Title 59 O.S. §513(A)(3) provides as follows:

“Upon proof of a final felony conviction by the courts and after exhaustion of the appellate process, the Board **shall revoke** the physician’s license. If the felony conviction is overturned on appeal and no other appeals are sought, the Board shall restore the license of the physician.”

5. Defendant is guilty of unprofessional conduct in that he:
- A. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public in violation of *Okla. Stat. tit. 59, §509(8)* and *Oklahoma Administrative Code* section 435:10-7-4(11).
 - B. Engaged 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 in violation of *Okla. Stat. tit. 59, §509(17)*.
 - C. Committed an act of sexual abuse, misconduct or exploitation related or unrelated to the licensee’s practice of medicine and surgery in violation of *Oklahoma Administrative Code* section 435:10-7-4(23).
 - D. Abused the physician's position of trust by coercion, manipulation or fraudulent representation in the doctor-patient relationship in violation of *Oklahoma Administrative Code* section 435:10-7-4(44).
 - E. Is unable 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 physician condition in violation of *Okla. Stat. tit. 59, §509(15)* and *Oklahoma Administrative Code* section 435:10-7-4(40).

- F. Confessed to a crime involving violation of the laws of this state in violation of *Okla. Stat. tit.59, §509(7)*.
- G. Engaged in predatory sexual behavior in violation of *Oklahoma Administrative Code* section 435:10-7-4(45).
- H. Committed any act which is in violation of the criminal laws of any state when such act is connected with the physician's practice of medicine in violation of *Okla. Stat. tit.59, §509 (9)*.
- I. Conviction of a felony or any offense involving moral turpitude in violation of *Okla. Stat. tit.59, §509(5)*.
- J. Conviction of a felony or any other offense involving moral turpitude whether or not related to the practice of medicine and surgery in violation of *Oklahoma Administrative Code* section 435:10-7-4(10).
- K. 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 in violation of *Okla. Stat. tit.59, §509(20)*.
- ~~L. Failure to provide a proper setting and assistive personnel for medical act, including but not limited to examination, surgery, or other treatment in violation of *Oklahoma Administrative Code* section 435:10-7-4(41).~~


6. I hereby submit my wallet card and wall certificate as evidence of my intent to surrender my license.

7. I hereby agree that I will not apply for reinstatement of my Oklahoma medical license for a minimum of one year from the entry of the Order Accepting Voluntary Surrender in Lieu of Prosecution, and that if the Board ever reinstates my Oklahoma medical license, it will be under terms of probation to be set by the Board at the time of reinstatement.

8. As a condition to accepting my surrender of license in lieu of prosecution, I acknowledge that the Board may require me to pay all costs expended by the Board for any legal fees and costs, and any investigation, probation and monitoring fees, including but not limited to staff time, salary and travel expense, witness fees and attorney fees.

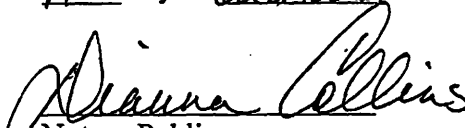
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DATED this 17th day of DECEMBER, 2012.



Juan Lases, M.D.

Subscribed and sworn before me this 17th day of DECEMBER, 2012.

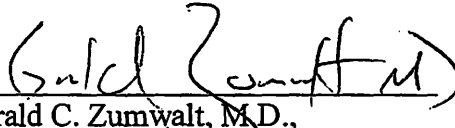


Dianna Collins
Notary Public

My commission expires on 2-17-14.



ACCEPTED:



Gerald C. Zumwalt, M.D.,
Secretary
Oklahoma State Board of Medical
Licensure and Supervision