

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

FILED

STATE OF OKLAHOMA, ex rel., )  
OKLAHOMA STATE BOARD OF )  
MEDICAL LICENSURE AND )  
SUPERVISION, )

MAY 06 1999

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Plaintiff, )

-vs- )

Case No. 97-07-1912

~~EDWARD ALLEN LEE, M.D.,~~ )  
Medical License No. ~~11807,~~ )

Defendant. )

ORDER OF REVOCATION

THIS CAUSE came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision, (hereinafter "OSBMLS"), en banc on the ~~4th day of March, 1999~~ at the offices of the OSBMLS, 5104 North Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

The plaintiff appeared by and through its attorney, Gregory J. Ryan; the defendant appeared in person and through his attorney, Richard B. Talley.

The OSBMLS en banc proceeded and heard testimony, reviewed exhibits, heard arguments of counsel, and after being fully advised in the premises, finds that there is clear and convincing evidence of the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. That the Defendant Edward Allen Lee, M.D. holds Oklahoma Medical License No. 11807.
2. That a Complaint and Citation were issued in this case on the 11<sup>th</sup> day of August, 1997, and an Amended Complaint was filed on November 24<sup>th</sup>, 1997, charging the defendant with violations of the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act,

59 O.S. Supp. 1995, §509, Paragraphs 9, 16 and 18, and the regulations promulgated thereunder in the Oklahoma Administrative Code, O.A.C. Title 435:10-7-4, Subparagraphs (11), (17), (18), (23), (40), (44) and (45).

3. That the OSBMLS has jurisdiction over the defendant and the subject matter herein and that notice has been given in all respects as required by law and the rules of the Board.

4. The OSBMLS found by clear and convincing evidence that the allegations of sexual misbehavior contained and more specifically described in Amended Complaint, Paragraphs 5 and 6 regarding Patient R. J. L., Paragraph 7 regarding Patient C. C., Paragraph 10 regarding Patient P. A. P. and Paragraph 11 regarding Patient L. W. were true and constituted unprofessional conduct.

5. As such, based upon clear and convincing evidence, the OSBMLS found that the defendant was in violation of 59 O.S. §509, Paragraphs 9 and 18, and O.A.C. Title 435:10-7-4, Subparagraphs (11), (23), (44) and (45).

6. Further, the Board unanimously found that in light of the clear and convincing evidence of the defendant's unprofessional conduct, the defendant's license should be REVOKED.

#### CONCLUSIONS OF LAW

7. The OSBMLS has jurisdiction and authority over the defendant and the subject matter herein pursuant to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act, 59 O.S. §480 et seq., and the Oklahoma Administrative Code, O.A.C. Title 435:1-1-1, et seq. (Rules of the OSBMLS).

8. The OSBMLS holds by clear and convincing evidence that the Defendant Edward Allen Lee, M.D., holding Oklahoma Medical License No. 11807, is guilty of unprofessional conduct in violation of the Oklahoma Allopathic Medical and Surgical Licensure

and Supervision Act, 59 O.S. §509, Paragraphs 9 and 18, to wit:

9. Dishonorable or immoral conduct which is likely to deceive or defraud the public;

18. 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.

and the Oklahoma Administrative Code, O.A.C. Title 435:10-7-4, Subparagraphs (11), (23), (44) and (45), to wit:

(11) Conduct likely to deceive, defraud, or harm the public.

(23) Commission of any act of sexual abuse, misconduct, or exploitation related or unrelated to the licensee's practice of medicine and surgery.

(44) Abuse of physician's position of trust by coercion, manipulation or fraudulent representation in the doctor-patient relationship.

(45) Engaging in predatory sexual behavior.

9. The OSBMLS has authority vested in it through 59 O.S. §509.1 to enforce the provisions of said Act and Code and to impose disciplinary action as necessary to protect the public health, safety and welfare.

#### ORDER

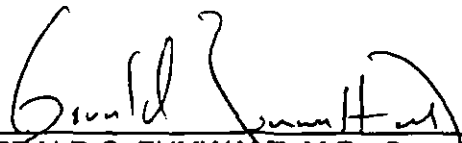
IT IS THEREFORE ORDERED by the Oklahoma State Board of Medical Licensure and Supervision as follows:

10. That Oklahoma Medical License No. 11807 of the Defendant Edward Allen Lee, M.D. should be and the same is hereby REVOKED as of the date of this hearing, March 4, 1999.

11. Pursuant to 59 O.S. §509.1 A. 8., the defendant shall reimburse the Board for all costs expended in the prosecution of this disciplinary action for any legal fees and costs, and probation and monitoring fees, including but not limited to staff time, salary and travel

expenses, witness fees and attorney's fees.

DATED this 6 day of May, 1999.



GERALD C. ZUMWALT, M.D., Secretary  
Oklahoma State Board of Medical  
Licensure and Supervision

**CERTIFICATE OF SERVICE**

This is to certify that on this 6 day of May, 1999 a true and correct copy of the above and foregoing Order of Revocation was mailed to:

Mr. Richard B. Talley  
219 East Main Street  
Norman, OK 73069

