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

STATE OF OKLAHOMA, ex rel.,)
THE OKLAHOMA STATE BOARD	Ś
OF MEDICAL LICENSURE AND	Ĵ
SUPERVISION,	ý
Plaintiff,)
vs.)
ROBERT LYON WILSON, M.D.,)
LICENSE NO. MD 13185,)
)
Defendant.)

JUL 10 2015 OKLAHOMA STATE BOARD OF MEDICAL LICENSURE & SUPERVISION

Case No. 15-05-5142

VERIFIED COMPLAINT

The State of Oklahoma, *ex rel.*, the Oklahoma State Board of Medical Licensure and Supervision ("Board"), alleges and states as follows for its Complaint against Robert Lyon Wilson, M.D. ("Defendant"):

- 1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physicians and surgeons in the State of Oklahoma pursuant to 59 Okla. Stat. § 480 *et seq.*
- 2. Defendant, Robert Lyon Wilson, M.D., holds Oklahoma medical license number 13185. The acts and omissions complained of herein were made while Defendant was acting as a physician pursuant to the medical license conferred upon him by the State of Oklahoma, and such acts and omissions occurred within the physical territory of the State of Oklahoma.

Allegations of Unprofessional Conduct

- 1. This matter arises from a written complaint asserting Defendant was sleeping with an employee and giving her money. On May 7, 2015, Investigator S.W. found the employee mentioned was prescribed cough medication containing hydrocodone on September 5, 2014. The prescription was written by Defendant.
- 2. On June 4, 2015, a subpoena was served upon Defendant and the medical chart of A.M.L., the patient/employee with whom Defendant had an inappropriate relationship, was obtained. The office manager, who produced the record, stated that A.M.L. was a patient and an employee. In addition, Investigator S.W. obtained pictures from the complainant of a dark color Range Rover in an open garage that included a blonde

woman entering the garage and another picture showing the Range Rover leaving the residence. The Range Rover is owned by Defendant.

- 3. On June 16, 2015, Investigator S.W. interviewed Defendant at the Board office. During the interview, Defendant stated that A.M.L. was an employee of Digestive Disease Specialists, Inc. ("DDSI") which is a group of physicians in the care and treatment of digestive diseases. The policy at DDSI is that all employees can receive free treatment from any of the physicians for their digestive issues. A.M.L. received two procedures from Defendant. The records reflect another physician treated A.M.L. and that she lists D.C.O., DO, as her primary care physician.
- 4. Investigator S.W. asked Defendant to explain why A.M.L.'s cough medicine was not in her patient chart. Defendant explained that last fall, A.M.L. and another employee had upper-respiratory infections and he authorized an antibiotic and the cough medicine for each. His nurse, who called in the prescriptions, should have placed the information in the charts, but forgot to do so.
- 5. Defendant admitted that he and A.M.L. had a four year relationship outside of the office which has ended. Defendant stated that A.M.L. left DDSI, acquired another job and has made no indication of being upset or bitter about the relationship or the ending of it.
- 6. Investigator S.W. asked Defendant if he had given A.M.L. any money on a regular basis. Defendant stated that he had given A.M.L. approximately \$5000 over the four year relationship.
- 7. Based on the foregoing, the Defendant is guilty of unprofessional conduct as follows:
 - a. Title 59 O.S. 2011, § 509(17) prohibiting 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
 - b. Okla. Admin. Code § 435:10-7-4(23) (2015) prohibiting the commission of any act of sexual abuse, misconduct, or exploitation related or unrelated to the licensee's practice of medicine and surgery.

CONCLUSION

Given the foregoing, the undersigned requests the Board conduct a hearing, and, upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation and any other appropriate action with respect to the Defendant's professional license, including an assessment of costs and attorney's fees incurred in this action as provided by law.

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Joseph L. Ashbaker, OBA No. 19395 Assistant Attorney General OKLAHOMA STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION 101 N.E. 51st Street Oklahoma City, Oklahoma 73105 405/962.1400 405/962.1499 – Facsimile

VERIFICATION

I, Steve Washbourne, under penalty of perjury, under the laws of the State of Oklahoma, state as follows:

1. I have read the above Complaint regarding the Defendant, Robert Lyon Wilson, M.D.; and

2. The factual statements contained therein are true and correct to the best of my knowledge and belief.

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Steve Washbourne, Investigator Oklahoma State Board of Medical Licensure and Supervision

Date: 7-8-15

OK. County Place of Execution