

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

**FILED**  
FEB 29 2016  
OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

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

Case No. 15-05-5142

**ORDER ACCEPTING  
VOLUNTARY SUBMITTAL TO JURISDICTION**

Plaintiff, the State of Oklahoma, *ex rel.*, the Oklahoma State Board of Medical Licensure and Supervision ("Board"), by and through its attorney, Joseph L. Ashbaker, Assistant Attorney General, for the State of Oklahoma and the staff of the Board, as represented by the Secretary of the Board, Billy H. Stout, M.D., and the Executive Director of the Board, Lyle Kelsey, along with the Defendant, Robert Lyon Wilson, M.D., Oklahoma Medical License No. 13185, who appears in person, and with counsel Vicki Behenna of Crowe & Dunlevy, offer this Order Accepting Voluntary Submittal to Jurisdiction (herein referred to as "Agreement") effective January 14, 2016, for acceptance by the Board *en banc* pursuant to Okla. Admin. Code § 435:5-1-5.1.

By voluntarily submitting to jurisdiction and entering into this Order, the Defendant pleads guilty to the allegations in the Complaint and Citation filed herein on July 10, 2015, and further acknowledges that a hearing before the Board would result in some sanction under the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act ("Act").

The Defendant, Robert Lyon Wilson, M.D., states that he is of sound mind and is not under the influence of, or impaired by, any medication or drug and that he fully recognizes his right to appear before the Board for an evidentiary hearing on the allegations made against him. The Defendant hereby voluntarily waives his right to a full hearing, submits to the jurisdiction of the Board and agrees to abide by the terms and conditions of this Order. The Defendant acknowledges that he has read and understands the terms and conditions stated herein, and that this Agreement has been reviewed and discussed with him.

BOARD 

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### Findings of Fact

The Plaintiff, the Defendant and the Board staff stipulate and agree as follows:

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 O.S. § 480 *et seq.*
2. Defendant, Robert Lyon Wilson, M.D., holds Oklahoma medical license number 13185.

### Current Allegations of Unprofessional Conduct

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

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Robert Lyon Wilson, M.D., #13185



8. 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.

### Conclusions of Law

9. 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 misconduct related or unrelated to the licensee's practice of medicine and surgery.

### Orders

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

1. The Board *en banc* hereby adopts the Agreement of the parties in this Voluntary Submittal to Jurisdiction;

2. It is **ORDERED** that Defendant pay an **ADMINISTRATIVE FINE** in the amount of **FIVE THOUSAND DOLLARS (\$5,000.00)**, payable within ninety (90) days from the date of this Order;

3. The Defendant is hereby **PUBLICALLY REPRIMANDED**;

4. Within thirty (30) days of receipt of an invoice, the Defendant shall pay reasonable costs of this action authorized by law, including without limitation, legal fees and investigation costs;

5. A copy of this written Order shall be sent to Defendant as soon as it is processed; and

6. **This Order is subject to review and approval by the Oklahoma Attorney General, and this Order shall become final upon completion of the review by the Oklahoma Attorney General unless disapproved, in which case this Order shall be null and void.**

BOARD 

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Dated this 14<sup>th</sup> day of Jan, <sup>2016</sup>2015.



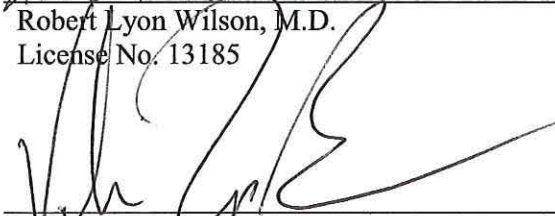
Lee Schoeffler, M.D., President  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION



Robert Lyon Wilson, M.D.  
License No. 13185



Billy H. Stout, M.D., Board Secretary  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION



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*Attorney for Defendant,  
Robert Lyon Wilson, M.D.*

**Certificate of Service**

This is to certify that on the 1<sup>st</sup> day of March, 201<sup>6</sup>5, a true and correct copy of this Order was sent by U.S. first-class mail, postage prepaid, to the following:

Vickie Behenna, OBA No. 10734  
CROWE & DUNLEVY  
324 North Robinson Ave, Suite 110  
Oklahoma City, Oklahoma 73102

*Attorney for Defendant,  
Robert Lyon Wilson, M.D.*



Nancy Thiemann, Legal Secretary

BOARD 

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OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2016-107A

**FILED**  
FEB 29 2016  
OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Billy Stout, M.D., Board Secretary  
State Board of Medical Licensure and  
Supervision  
101 NE 51st Street  
Oklahoma City, Oklahoma 73105

February 25, 2016

Dear Board Secretary Stout:

This office has received your request for a written Attorney General Opinion regarding agency action that the State Board of Medical Licensure and Supervision intends to take pursuant to a consent agreement with respect to medical doctor licensee 13185. The proposed action is to reprimand the licensee and impose a fine of \$5,000. The licensee engaged in a sexual relationship with an individual who was both an employee and a patient at licensee's practice.

The Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act, 59 O.S.2011 & Supp.2015, §§ 480–518.1, authorizes the Board to discipline licensees who engage in unprofessional conduct such as “[e]ngaging in physical conduct with a patient which is sexual in nature,” *id.* §§ 503, 509(17). The Board's rules also prohibit broader forms of exploitation, abuse, or misconduct of a sexual nature. *See* 435:10-7-4(23). As part of a physician-patient relationship, a physician must be able to exercise good medical judgment to accurately diagnose and treat conditions while not exploiting or abusing patients. The Board's action advances this requirement, and appropriately so for the circumstances of this case.

It is, therefore, the official opinion of the Attorney General that the State Board of Medical Licensure and Supervision has adequate support for the conclusion that this action advances the State of Oklahoma's policy to uphold minimum standards of physicians' professionalism.

A handwritten signature in blue ink that reads "E. Scott Pruitt".

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA