

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

STATE OF OKLAHOMA)
ex rel. THE OKLAHOMA BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)
)
Plaintiff,)
)
vs.)
)
GREGORY KEITH MORTON, III, M.D.)
LICENSE NO. 14117)
)
Defendant.)

FILED

MAR 08 2013

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 11-07-4266

REVISED FINAL ORDER OF REVOCATION

This cause came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the "Board") on September 13, 2012, at the office of the Board, 101 N.E. 51st Street, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

S. Randall Sullivan, attorney at law and special prosecutor for the Plaintiff, appeared for the plaintiff and defendant appeared in person and through counsel, Nick Slaymaker.

The Board *en banc* after hearing arguments of counsel, reviewing the exhibits admitted and the sworn testimony of witnesses, and being fully advised in the premises, found that there is clear and convincing evidence to support the following Findings of Fact, Conclusions of Law and Orders:

Findings of Fact

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.* The Board has jurisdiction over this matter, and notice has been given in all respects in accordance with law and the rules of the Board.

2. Defendant, Gregory Keith Morton, III, M.D., holds Oklahoma license no. 14117.

3. As a result of the Board's receipt of **eleven (11) complaints**, all involving inappropriate sexual touching and sexual misconduct, Board staff requested that Defendant submit to a psychological and psychiatric evaluation for sexual misconduct and boundary violations.

4. On November 14-15, 2011, Defendant submitted to an assessment at Elmhurst Memorial Health. While at Elmhurst, Defendant admitted that he does have issues with boundaries. He also admitted that when he sees a patient with nice breasts, he may want to touch them. Finally, he admitted that he had fondled female patient(s) genitalia, including clitoral stimulation. When asked to explain these behaviors, he admitted that he wanted to see what he could get away with.

5. Elmhurst then concluded that Defendant's admitted abuse of female patients was not amenable to treatment intervention but was a disciplinary matter. They concluded that "**we do not find him fit to practice medicine with female patients. Clearly, he poses an ongoing risk to the safety of women.**"

6. Defendant admitted to the Board under oath that he had inappropriately touched female patients and that he is guilty of unprofessional conduct.

Conclusions of Law

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act (the "Act") and its applicable regulations. The Board is authorized to enforce the Act as necessary to protect the public health, safety and welfare.

2. Defendant is guilty of unprofessional conduct based on defendant's sworn testimony and the evidence in the record. The Board finds that there is clear and convincing evidence that the Defendant:

- A. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public in violation of 59 O.S. § 509 (8) and OAC 435:10-7-4 (11).
- B. Engaged in physical conduct with a patient which is sexual in nature, ... in violation of 59 O.S. 1509 (17).
- C. Committed an act of sexual ... misconduct or exploitation related or unrelated to the licensee's practice of medicine and surgery in violation of OAC 435:10-7-4 (23).
- E. Violated any provision of the medical practice act or the rules and regulations of the Board or of an action, stipulation, or agreement of the Board in violation of 59 O.S. §509 (13) and OAC 435:10-7-4(39).
- L. Engaged in predatory sexual behavior in violation of OAC 435:10-7-4(45).

3. The Board further finds that the Defendant's license should be **REVOKED**

based upon any or all of the violations of the unprofessional conduct provisions articulated herein.

Order

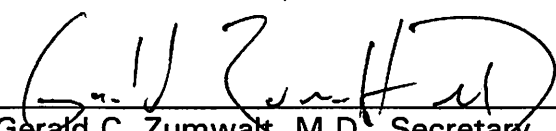
IT IS THEREFORE ORDERED by the Oklahoma State Board of Medical Licensure and Supervision as follows:

1. The license of Defendant, Gregory Keith Morton, III, M.D., Oklahoma medical license no. 14117, is hereby **REVOKED** as of the date of this hearing, September 13, 2012.

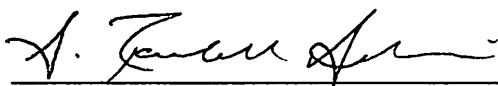
2. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and costs, investigation costs, staff time, salary and travel expenses, witness fees and attorney's fees.

3. This Order shall supersede the Order signed by the Secretary on October 26, 2012.

Dated this _____ day of March, 2013.



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



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