

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

**FILED**

JUN 29 2023

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

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

Plaintiff, )

v. )

Case No. 22-05-6213

JERRY MAY KEEPERS, MD, )  
LICENSE NO. MD 14910, )

Defendant. )

**ORDER OF REVOCATION WITHOUT THE RIGHT TO REAPPLY**

This matter comes on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (“Board”) on March 16, 2023, at the office of the Board, 101 N.E. 51<sup>st</sup> Street, Oklahoma City, Oklahoma 73105, pursuant to notice given as required by law and the rules of the Board.

Alex A. Pedraza, Assistant Attorney General (“AAG Pedraza”), appears for Plaintiff. Defendant Jerry May Keepers, M.D. (“Defendant”), is represented by Curtis J. Dewberry of Sweet Dewberry Hubbard, PLC. Defendant and his counsel appeared not.

AAG Pedraza made an offer of proof as to the evidence. The Board, having considered representations of counsel, as well as the exhibits that were admitted into evidence, and being fully apprised of the premises therein, finds the following has been established by clear and convincing evidence.

**FINDINGS OF FACT**

1. In Oklahoma, Defendant holds medical license no. 14910, issued 08/01/1984.
2. On December 7, 2018, Defendant was charged with twenty-three (23) counts of willfully soliciting and receiving remuneration from pharmacies, via kickbacks and bribes, in return for referring individuals for whom he had written prescriptions for compounded drugs, for which payment was made in whole or in part by Federal health care programs, in violation of 42 U.S.C. § 1320a-7b(b)(1)(A). See, *United States of America v. Jerry May Keepers*,

United States District Court for the Northern District of Oklahoma, Case No. 18-CR-00251-003-GFK (“Federal Lawsuit”).

3. On February 16, 2022, Defendant pled guilty to one count of Soliciting or Receiving a Health Care Kickback, in the Federal Lawsuit and was sentenced on October 13, 2022.

### **CONCLUSIONS OF LAW**

1. The Board has jurisdiction over the subject matter and 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. 59 O.S. § 480 *et seq.* and Okla. Admin. Code § 435:5-1-1 *et seq.*
2. Notice was provided as required by law and the rules of the Board. 75 O.S. § 309; and Okla. Admin. Code §§ 435:3-3-5, 3-3-6.
3. Defendant was properly served and failed to timely answer or appear. The Board accepts the allegations set forth in the Verified Complaint filed with the Board on November 22, 2023, as true. Okla. Admin. Code §§ 435:3-3-8.
4. Defendant is guilty of unprofessional conduct. 59 O.S. § 509(5) and Okla. Admin. Code § 435:10-7-4(10), *et al.*
5. Upon proof of a felony conviction by the courts, the Board shall revoke the physician's license. 59 O.S. § 513(A)(3) and Okla. Admin. Code 435:5-1-5.2(b).


### **ORDER**

**IT IS THEREFORE ORDERED** by the Oklahoma State Board of Medical Licensure and Supervision that Oklahoma medical license no. 14910 of **JERRY MAY KEEPERS, M.D.** is hereby REVOKED, without the right to reapply.

1. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees, investigation costs, staff time, salary and travel expenses, witness fees and attorney’s fees.
2. A copy of this Order shall be provided to Defendant as soon as it is processed.

**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.**

Dated this 29<sup>th</sup> day of June, 2023.



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Trevor Nutt, Vice-President  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION

**CERTIFICATE OF SERVICE**

This is to certify that on the 27<sup>th</sup> day of June, 2023, a true and correct copy of this Order was transmitted as indicated, postage prepaid, the following:

*U.S. Certified mail*

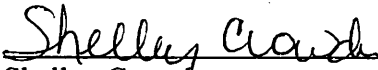
Jerry May Keepers  
308 W Parkwood Ave  
Friendswood, TX 77546  
DEFENDANT

*E-mail*

Alex A. Pedraza, OBA No. 33584  
Assistant Attorney General  
101 N.E. 51<sup>st</sup> Street  
Oklahoma City, Oklahoma 73105  
[Alex.Pedraza@oag.ok.gov](mailto:Alex.Pedraza@oag.ok.gov)  
ATTORNEY FOR OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE AND SUPERVISION

*U.S. Certified mail*

Curtis J. Dewberry  
SWEET DEWBERRY HUBBARD, PLC  
24 West Park Place  
Oklahoma City, Oklahoma 73103  
ATTORNEY FOR DEFENDANT



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Shelley Crowder



OFFICE OF THE  
ATTORNEY GENERAL

**FILED**

JUN 29 2023

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Billy H. Stout, M.D., Board Secretary  
State Board of Medical Licensure and Supervision  
101 N.E. 51st Street  
Oklahoma City, OK 73105-1821

June 29, 2023

Re: Keepers ("Defendant"); Case No. 22-05-6213

Dear Dr. Stout:

This office has received your request for a written Attorney General Opinion regarding action that the State Board of Medical Licensure and Supervision intends to take in case 22-05-6213.

Pursuant to Executive Order 2023-13, Qualifying Boards need not submit "(iii) actions in which the Board has performed the ministerial, non-discretionary task of implementing a mandatory statute." Because the board performed a ministerial, non-discretionary action by implementing a mandatory statute, no review by our office is necessary.

To the extent that the Board did exercise any discretion by revoking the defendant's license without the right to reapply, the office determines that the Board may reasonably believe that the proposed action is necessary to deter future violations. Moreover, the office concludes that the proposed action by the Board of Medical Licensure and Supervision possesses adequate support for the conclusion that this action advances public policy by protecting the public health, safety, and welfare.

ROB JOHNSON  
GENERAL COUNSEL