

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

STATE OF OKLAHOMA, *ex rel.*)
OKLAHOMA STATE BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)
)
Plaintiff,)
)
v.)
)
AJAY BHARGAVA, M.D.,)
LICENSE NO. MD 15053,)
)
Defendant.)

FILED

APR 21 2023

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 22-06-6139

VERIFIED COMPLAINT

The State of Oklahoma, *ex rel.* Oklahoma State Board of Medical Licensure and Supervision (“Board”), for its Verified Complaint against Ajay Bhargava, M.D. (“Defendant”), alleges and states as follows:

I. JURISDICTION

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. Defendant holds medical license No. 15053, issued 01/18/1985 by the Oklahoma Board of Medical Licensure and Supervision. The acts and/or omissions complained of herein were made while Defendant was licensed to practice medicine by the State of Oklahoma.

II. ALLEGATIONS OF UNPROFESSIONAL CONDUCT

3. This action arises out of unprofessional conduct by Defendant as detailed herein. The Board originally received a complaint alleging inappropriate behavior with a patient by Defendant, a physician specializing in gastroenterology. In investigating the accusation, Board staff became concerned regarding the appropriateness of Defendant’s controlled dangerous substance prescriptions and record keeping of medical documentation related thereto, as well as other treatment.
4. Based on these concerns, Board staff subpoenaed medical records for five (5) of Defendant’s patients, which were provided to an expert for review. The expert determined that Defendant had consistently practiced outside the scope of his specialization and had

prescribed narcotics together with other medications such as antipsychotics in a manner inconsistent with or in violation of the appropriate standard(s) of care.


III. VIOLATIONS

5. Based on the foregoing, Defendant is guilty of unprofessional conduct as follows:
- a. Prescribing, dispensing or administering of controlled substances or narcotic drugs in excess of the amount considered good medical practice, in violation of 59 O.S. 509(16)(a) and Okla. Admin. Code § 435:10-7-4(2).
 - b. Prescribing, dispensing or administering controlled substances or narcotic drugs without medical need in accordance with pertinent licensing board standard, in violation of 59 O.S. 509(16)(b) and Okla. Admin. Code § 435:10-7-4(2).
 - c. Indiscriminate or excessive prescribing, dispensing or administering of controlled or narcotic drugs, in violation of Okla. Admin. Code § 435:10-7-4(1).
 - d. Prescribing or administering a drug or treatment without sufficient examination and the establishment of a valid physician-patient relationship and not prescribing in a safe, medically accepted manner, in violation of 59 O.S. 509(12).
 - e. Failure to maintain an office record for each patient which accurately reflects the evaluation, treatment, and medical necessity of treatment of the patient, in violation of 59 O.S. § 509(18).
 - f. Improper management of medical records, in violation of Okla. Admin. Code § 435:10-7-4(36).
 - g. Failure to maintain adequate medical records to support diagnosis, procedure, treatment or prescribed medications, in violation of 59 O.S. § 509(21) and Okla. Admin. Code § 435:10-7-4(41).

V. CONCLUSION

Given the foregoing, the undersigned respectfully 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 Defendant's professional license, including an assessment of costs and attorney's fees incurred in this action as provided by law.

Respectfully submitted,



Alex A. Pedraza, OBA No. 33584
Assistant Attorney General
OKLAHOMA STATE BOARD OF MEDICAL

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VERIFICATION

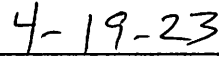
I, Robbin Roberts, under penalty of perjury, under the laws of the State of Oklahoma, state as follows:

1. I have read the above Complaint regarding Ajay Bhargava, M.D.; and
2. The factual statements contained therein are true and correct to the best of my knowledge and belief.



Robbin Roberts, Investigator
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION

Date:




County, State of Execution