

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. )  
 )  
WALLACE BEVERLY MCLEOD, III, M.D. )  
LICENSE NO. MD 15393, )  
 )  
Defendant. )

**FILED**

JAN 25 2022

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Case No. 20-10-5939

**VERIFIED COMPLAINT**

The State of Oklahoma, *ex rel.* Oklahoma State Board of Medical Licensure and Supervision ("Board"), alleges and states as follows for its Complaint against **WALLACE BEVERLY MCLEOD, III, M.D.** ("Defendant"):

**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. In Oklahoma, Defendant holds medical license No. 15393.
3. The acts and omissions complained of herein were made while Defendant was licensed to practice medicine by the State of Oklahoma.

**II. ALLEGATIONS OF UNPROFESSIONAL CONDUCT**

4. Defendant's SoonerCare provider contract was terminated by the Oklahoma Health Care Authority (OHCA) for a "'Gross and Flagrant' violation" of Defendant's provider agreement, including concerns regarding Defendant's prescribing of Controlled Dangerous Substances (CDS), failure to adequately address positive Urine Drug Screens in medical records, failure to adequately address patient medical issues, failure to properly document medical information in the record, amounting to a pervasive pattern of

prescribing very dangerous medication dosages, amounts, and combinations.

5. Subsequently, Defendant's Medicare privileges were revoked based on the OHCA contract termination.
6. Based on the results of an investigation by Board staff, Defendant's care and conduct with regard to patients has been unprofessional and does not conform to the standard of care.
7. Furthermore, Defendant's poor documentation, treatment approach, lack of documented treatment plans, failure to reevaluate the effectiveness of treatment, prescribing habits and prescription management are harmful and dangerous to patients.
8. Defendant improperly managed medical records and/or maintained inadequate records to accurately document and support his treatment of patients.
9. Defendant indiscriminately or excessively prescribed controlled substances to patients and practiced (often long-term) polypharmacy without adequate regard for dosing and/or interactions with other substances, including controlled substances.
10. Defendant failed to safely manage patients to whom he prescribed controlled substances, including opiates, and further failed to properly inform patients of the risks related to use of controlled substances in high doses and/or in combination with other substances.
11. Defendant failed to properly address and treat chronic patient health conditions and was negligent in his care of patients with chronic health conditions.

### III. VIOLATIONS

12. Based on the foregoing, **WALLACE BEVERLY MCLEOD, III, M.D.**, is guilty of unprofessional conduct as follows:
  - a. Prescribing, dispensing, or administering of controlled substances or narcotic drugs indiscriminately or in excess of the amount considered good medical practice or without medical need in accordance with published standard, in violation of Okla. Stat. tit. 59 § 509(16)(a) and Oklahoma Administrative Code 435:10-7-4(1) and (2).
  - b. Conduct likely to harm the public, in violation of Oklahoma Administrative Code 435:10-7-4(11).
  - c. Practice or other behavior that demonstrates an incapacity or incompetence to practice medicine and surgery, in violation of Oklahoma Administrative Code 435:10-7-4(18).
  - d. Failure to maintain an office record for each patient which accurately reflects the evaluation, treatment, and medical necessity of treatment of the patient, or

improper management of medical records, in violation of Okla. Stat. tit. 59 § 509(18) and Oklahoma Administrative Code 435:10-7-4(36).

- e. Gross or repeated negligence in the practice of medicine, in violation of Oklahoma Administrative Code 435:10-7-4(15).
- f. Failing to obtain informed consent, based on full and accurate disclosure of risks, before prescribing, dispensing, or administering medical treatment for the therapeutic purpose of relieving pain in accordance with Oklahoma Administrative Code 435:10-7-11 where use may substantially increase the risk of death, in violation of Oklahoma Administrative Code 435:10-7-4(48).

#### IV. CONCLUSION

Given the foregoing, the undersigned respectfully request the Board to conduct a hearing, and upon proof of the allegation(s) contained herein, impose an appropriate punishment pursuant to the applicable law and rule on **WALLACE BEVERLY MCLEOD, III, M.D.**, including an assessment of costs and attorneys' fees incurred in this action as provided by law.

**Respectfully submitted,**




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Amanda R. Everett, OBA # 30107  
Assistant Attorney General  
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**VERIFICATION**

I, Melissa Davis, RN, under penalty of perjury, under the laws of the State of Oklahoma, state as follows:

1. I have read the above Complaint regarding **WALLACE BEVERLY MCLEOD, III, 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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**Melissa Davis, RN, Investigator**  
**OKLAHOMA STATE BOARD OF MEDICAL**  
**LICENSURE AND SUPERVISION**

Executed this 10<sup>th</sup> day of January, 2022, in Oklahoma County, State of Oklahoma.