

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

FILED

FEB 08 2010

STATE OF OKLAHOMA)
EX REL. THE OKLAHOMA BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff)

v.)

Case No. 10-01-3905

KENNETH EWELL BAIRD, M.D.,)
OKLAHOMA MEDICAL LICENSE NO. 16265,)

Defendant.)

COMPLAINT

COMES NOW the plaintiff, the State of Oklahoma ex rel. the Oklahoma State Board of Medical Licensure and Supervision (the "Board"), by and through its attorney, Elizabeth A. Scott, Assistant Attorney General, and for its Complaint against the Defendant, Kenneth Ewell Baird, M.D., Oklahoma medical license no. 16265, alleges and states 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 Okla. Stat. §480 *et seq.*

2. Defendant, Kenneth Ewell Baird, M.D., holds Oklahoma medical license no. 16265 and practices in Carrollton, Texas.

3. On or about April 3, 2009, Defendant was disciplined by the Texas Medical Board whereby he was ordered to attend a professional boundaries course, to obtain ten (10) hours of CME per year for two (2) years on ethics, and to pay a \$10,000.00 administrative fine. The discipline was based upon Defendant's admission that he had sexual intercourse with a patient on several occasions over a period of several months in 2005. Defendant admitted that he was the patient's family's physician before, during and after the sexual relationship with the patient.

4. Defendant is guilty of unprofessional conduct in that he:

A. Was subject to disciplinary action of another state or jurisdiction based upon acts or conduct by the licensee

similar to acts or conduct that would constitute grounds for action as defined in this section pursuant to OAC 435:10-7-4(31).

B. 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).

C. 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).

D. Engaged in physical conduct with a patient which is sexual in nature, or in any verbal behavior which is seductive or sexually demeaning to a patient in violation of 59 O.S. §509(17).

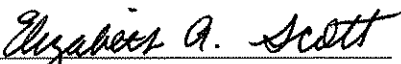
E. Committed any act of sexual abuse, misconduct, or exploitation related or unrelated to the licensee's practice of medicine and surgery in violation of OAC 435:10-7-4(23).

Conclusion

WHEREFORE, plaintiff requests that 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 the revocation or suspension of the Defendant's license to practice as a physician and surgeon in the State of Oklahoma, the assessment of costs and fees incurred in this action, and any other appropriate action with respect to Defendant's license to practice as a physician and surgeon in the State of Oklahoma.

Dated this 8~~th~~ day of February, 2010 at 4:15 p.m.

Respectfully submitted,


Elizabeth A. Scott, OBA #12470
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Oklahoma State Board of Medical
Licensure and Supervision