

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

FILED

STATE OF OKLAHOMA

JAN 13 1997

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

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff,)

vs)

LOWELL ROBERTSON, M.D.)
MEDICAL LICENSE NO. 17290)

CASE NUMBER 96-11-1866

Defendant)

**ORDER OF THE BOARD ACCEPTING
VOLUNTARY SUBMITTAL TO JURISDICTION**

On the 9th day of January, 1997, this cause came on for hearing before the OKLAHOMA STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION pursuant to notice given as required by the laws and rules of the State of Oklahoma for individual proceedings.

The State of Oklahoma was represented by Daniel J. Gamino, Attorney at Law and the defendant, Lowell Robertson, M.D. appeared in person and was represented by David King, Attorney at Law.

The Board heard statements by legal counsel, reviewed evidence submitted and heard testimony given. Being fully advised in the premises, the Board of Medical Licensure and Supervision finds and orders as follows:

FINDINGS OF FACT

1. That the defendant, Lowell Robertson, M.D., Oklahoma Medical License No. 17290, does admit that due to use of alcohol, he was admitted for relapse treatment to Rush Behavioral Health Center from September 9, 1996, to September 29, 1996.
2. That the defendant does note he has been out of the practice of medicine for seven (7) months.
3. That the defendant does note he has a firm commitment of employment from

Warren Clinic, Tulsa, Oklahoma.

4. The defendant and staff of the Board submitted the Voluntary Submittal to Jurisdiction as a proposed Order of the Board.
5. The Board accepted the Voluntary Submittal to Jurisdiction as written.

CONCLUSIONS OF LAW

1. The Defendant, Lowell Robertson, M.D., is in violation of portions of the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act and the Oklahoma Administrative Code as it pertains to the aforementioned Act.
2. The Board has jurisdiction over the subject matter herein.
3. The decision to accept a Voluntary Submittal to Jurisdiction is within the discretion and judgement of the Board.

ORDER

IT IS THEREFORE ORDERED that the defendant, Lowell Robertson, M.D., is hereby placed on probation to the Board of Medical Licensure and Supervision for a period of five (5) years beginning on January 9, 1997, with terms and conditions, to-wit:

1. Defendant shall provide to the Secretary of the Board, Gerald C. Zumwalt, M.D., copies of all aftercare contracts and any subsequent changes thereto and defendant shall comply with the terms and conditions thereof and these agreements as incorporated herein by reference as if fully set out herein and attached hereto.
2. Defendant agrees to authorize any party who takes body fluids from defendant, to provide a copy of the results of laboratory analysis of same to the Board of Medical Licensure and Supervision in a timely manner.
3. During the period of probation, Doctor Robertson will keep duplicate, serially numbered prescriptions of all controlled dangerous substances readily retrievable, in numerical order and will furnish copies to investigators or other authorized agents of the Oklahoma State Board of Medical Licensure and Supervision immediately upon request.
4. During the period of probation, Doctor Robertson will conduct his practice in compliance with the Oklahoma Medical Practice Act as interpreted by the Oklahoma State Board of Medical Licensure and Supervision. Any question of interpretation regarding said Act shall be submitted in writing to the Board and no

action based on the subject of the question will be taken by Doctor Robertson until clarification of interpretation is received from the Board.

5. Doctor Robertson will not allow the initiation of any therapeutic regimen by any personnel under his supervision unless he is in the immediate geographic vicinity of said personnel.
6. During the period of probation, Doctor Robertson will furnish to each and every state in which he holds licensure or applies for licensure and hospitals, clinics or other institutions in which he holds or anticipates holding any form of staff privilege, a copy of the Board Order, stipulating sanctions imposed by the Board.
7. During the period of probation, Doctor Robertson will not supervise a Physician's Assistant.
8. During the period of probation Doctor Robertson will submit biological fluid specimens to include, but no limited to blood and urine, for analysis, upon request of the Board or its designee, and Doctor Robertson will pay for the analysis thereof.
9. During the period of probation, Doctor Robertson will not prescribe, administer or dispense any medication for personal use.
10. During the period of probation Doctor Robertson will take no medication except that which is authorized by a physician treating him for a legitimate medical need. Doctor Robertson has the affirmative duty to inform any and every doctor treating him of the Board Order immediately upon initiation of said treatment.
11. During the period of probation, Doctor Robertson will provide evidence of participation in an aftercare program approved by the Board, upon request of the Board or its designee.
12. During the period of probation Doctor Robertson will keep the Board informed of his current mailing and practice addresses.
13. During the period of probation Doctor Robertson will appear before the Board or its designee whenever requested to do so by the Board or its designee.
14. During the period of probation Doctor Robertson will keep current payment of all assessment by the Board for prosecution, investigation and monitoring of his case.
15. Until such time as all indebtedness to the Board has been satisfied, Doctor Robertson will reaffirm said indebtedness in any and all bankruptcy proceedings.

DATED THIS 16 DAY OF January, 1997.

Gerald Zumwalt

GERALD C. ZUMWALT, M.D.
SECRETARY/MEDICAL DIRECTOR
BOARD OF MEDICAL LICENSURE AND SUPERVISION

APPROVED AS TO FORM:

Daniel J. Gamino
DANIEL J. GAMINO

David King
DAVID KING

CERTIFICATE OF MAILING

This is to certify that on this 27 day of January, 1997, a true and correct copy of this order was mailed, postage prepaid to:

Lowell Robertson, M.D.
2944 South Boston PL
Tulsa, OK 74114

David King, Attorney
P.O. Box 1066
Bartlesville, OK 74005