

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

FILED

STATE OF OKLAHOMA, ex rel.,)
OKLAHOMA STATE BOARD OF)
MEDICAL LICENSURE AND SUPERVISION,)
)
Plaintiff,)
)
vs.)
)
LOWELL J. ROBERTSON, M.D.)
MEDICAL LICENSE NO. 17290,)
)
Defendant.)

OCT 05 1998

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

CASE NO. 96-11-1866

ORDER ACCEPTING DEFENDANT'S SURRENDER OF LICENSE

The Oklahoma State Board of Medical Licensure and Supervision (the "Board"), *en banc*, on ~~September 24, 1998~~, heard the Second Complaint in this cause at the Board office, 5104 N. Francis, Suite C, Oklahoma City, OK, pursuant to notice given as required by law and the rules of the Board.

Susan Moebius Henderson, Assistant Attorney General, appeared for the Plaintiff; and Lowell J. Robertson, M.D., appeared neither in person or with counsel, thereby waiving his right to legal representation.

The Board *en banc* heard sworn testimony, reviewed exhibits, and being fully advised in the premises, finds as follows:

Findings of Fact

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, Lowell J. Robertson, M.D., holds Oklahoma medical license no. 17290.
3. In prior disciplinary action against Defendant, the Board placed Defendant on probation for five (5) years by order entered January 17, 1997. The charges in the Second Complaint allege that Defendant violated the order of probation by testing positive for substance abuse.

4. On July 31, 1998 Defendant submitted written notice to the Board of his intent to surrender his medical license in lieu of prosecution of the Second Complaint.

5. Given the allegations in the Second Complaint, it is in the best interest of the public health, safety and welfare for the Board to accept Defendant's surrender of license.

6. Defendant will not re-apply for licensure in Oklahoma until at least one (1) year from the date of this order. If Defendant's license is reinstated in Oklahoma, he will be placed on probation with appropriate terms and will be monitored for a period of at least five (5) years from the date of any such reinstatement.

7. The Board has jurisdiction of the subject matter herein, and proper notice has been given as required by law and the rules of the Board.

Conclusions of Law

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Act and the OAC. The Board is authorized to enforce the Act as necessary to protect the public health, safety and welfare.

Order

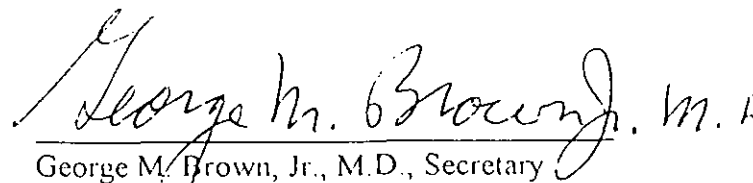
IT IS THEREFORE ORDERED by the Oklahoma State Board of Medical Licensure and Supervision as follows:

1. The Board hereby accepts, in lieu of prosecution, the surrender of Oklahoma medical license no. 17290, held by Defendant, Lowell J. Robertson, M.D.

2. Defendant will not re-apply for licensure in Oklahoma until at least one (1) year from the date of this order. If Defendant's license is reinstated in Oklahoma, he will be placed on probation with appropriate terms and will be monitored for a period of at least five (5) years from the date of any such reinstatement.

3. Defendant shall pay any outstanding costs of prosecution and probation fees owed to the Board within (30) days of his receipt of an invoice outlining such changes.

Dated this 14th day of October, 1998.


George M. Brown, Jr., M.D., Secretary
Oklahoma State Board of Medical
Licensure and Supervision

CERTIFICATE OF MAILING

This is to certify that on this 7th of October 1998, a true and correct copy of this order was mailed, postage prepaid to:

Lowell Robertson, M.D.
2940 South Boston Place
Tulsa, OK 74114

Janet L. Owens
Janet L. Owens, Secretary