

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

FILED

JAN 28 2005

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

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff,)

v.)

Case No. 04-02-2769

STEPHEN LESTER GREER, M.D.,)
LICENSE NO. 17372)

Defendant.)

FINAL ORDER OF SUSPENSION

This cause came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the "Board") on January 27, 2005, at the office of the Board, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Elizabeth A. Scott, Assistant Attorney General, appeared for the plaintiff and defendant appeared in person and through counsel, Stephen Peterson.

The Board *en banc* after hearing arguments of counsel, reviewing the pleadings filed, and being fully advised in the premises, found that there is clear and convincing evidence to support the following Findings of Fact, Conclusions of Law and Orders:

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. The Board has jurisdiction over this matter, and notice has been given in all respects in accordance with law and the rules of the Board.
3. Defendant, Stephen Lester Greer, M.D., holds Oklahoma license no. 17372.

4. Beginning on or around May 15, 2003 and continuing through February 2004, Patient DHW was a patient of Defendant. During this time, Defendant engaged in physical conduct with Patient DHW which was sexual in nature. Defendant engaged in the sexual conduct in his office, at a motel in Broken Arrow, Oklahoma paid for by Defendant, and in his car. Defendant engaged in these sexual acts at the same time that he was maintaining a doctor-patient relationship and prescribing controlled dangerous substances to this patient.

5. During the time that Defendant was treating Patient DHW and was engaging in physical conduct with Patient DHW which was sexual in nature, Defendant allegedly "employed" Patient DHW in his office. Defendant allowed Patient DHW to work off her bill by copying other psychiatric patients' charts and doing other work around the office. Defendant engaged in these acts at the same time that he was maintaining a doctor-patient relationship and prescribing controlled dangerous substances to this patient.

6. During the time that Defendant was treating Patient DHW and was engaging in physical conduct with Patient DHW which was sexual in nature, Defendant paid for a motel for three (3) weeks for Patient DHW and her son. During this time, he frequently visited Patient DHW at the motel.

7. Beginning on or around May 29, 2003 and continuing through February 4, 2004, Defendant prescribed controlled dangerous substances to Patient DHW. A review of Defendant's chart on this patient reveals that Defendant failed to keep any records of the prescribing or ordering of these controlled dangerous substances after October 15, 2003.

8 Defendant is guilty of unprofessional conduct in that he:

- A. Abused the physician's position of trust by coercion, manipulation or fraudulent representation in the doctor-patient relationship in violation of OAC 435:10-7-4(44).
- B. Failed 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 (19).
- C. Violated any state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).

Conclusions of Law

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act (the "Act") and its applicable regulations. The Board is authorized to enforce the Act as necessary to protect the public health, safety and welfare.

2. Defendant is guilty of unprofessional conduct in that he:
 - A. Abused the physician's position of trust by coercion, manipulation or fraudulent representation in the doctor-patient relationship in violation of OAC 435:10-7-4(44).
 - B. Failed 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 (19).
 - C. Violated any state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).

3. The Board further found that the Defendant's license should be suspended based upon any or all of the violations of the unprofessional conduct provisions of 59 O.S. §509 (19) and OAC Title 435:10-7-4 (27) and (44).

Order


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

1. The license of Defendant, Stephen Lester Greer, M.D., Oklahoma license no. 17372, is hereby **SUSPENDED INDEFINITELY** beginning January 27, 2005 and continuing until he completes treatment from a Board approved psychiatrist with expertise in treating psychiatrists with boundary issues and provides a report from this psychiatrist to the Board that he is safe to practice, at which time Defendant may appear before the Board to seek reinstatement of his license.

2. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and investigation costs.

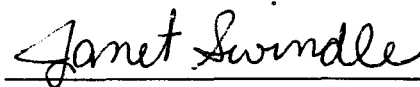
3. Defendant's suspended license shall not be reinstated unless Defendant has reimbursed the Board for all taxed costs.

Dated this 28 day of January, 2005.


Gerald C. Zumwalt, M.D., Secretary
Oklahoma State Board of Medical
Licensure and Supervision

CERTIFICATE OF SERVICE

I certify that on the 31 day of January, 2005, I mailed, via first class mail, postage prepaid, a true and correct copy of this Order of Suspension to Steve Peterson, 211 N. Robinson, Suite 800N, Oklahoma City, OK 73102 and to Stephen Lester Greer, 8831 S. 69th Street, Tulsa, OK 74133.



Janet Swindle