

**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.** )  
 )  
**STEVE L. SCHOELEN, M.D.** )  
**LICENSE NO. MD 17719,** )  
 )  
**Defendant.** )

**FILED**

**DEC 22 2017**

**OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION**

**Case No. 11-04-4407**

**ORDER MODIFYING PROBATION**

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (“Board”) on November 2, 2017, at the office of the Board, 101 N.E. 51<sup>st</sup> Street, Oklahoma City, Oklahoma 73105.

Gary Ricks, Compliance Coordinator, appeared on behalf of the Board. Steve L. Schoelen, M.D. (“Defendant”) appeared in person, *pro se*.

The following witnesses were sworn and testified: Dr. Robert Westcott, Medical Director, of the Oklahoma Health Professionals Program (“OHPP”); Gary Ricks and Defendant.

The Board, having considered testimony presented and being fully apprised of the premises, makes the following findings of fact, conclusions of law and orders:

**Findings of Fact**

1. Defendant holds medical license no. 17719, issued July 1, 1991, under a term of **INDEFINITE PROBATION** that commenced February 22, 2013
2. On October 16, 2017, Defendant requested that the terms of his indefinite probation, be modified to allow him to prescribe Schedule III, Testosterone
3. At the November 2, 2017 Board meeting, Defendant explained that he is working at the Oklahoma Men’s Clinic. To maintain full-time employment, he needs authority to prescribe and dispense Testosterone.
4. Dr. Westcott testified that Defendant is in compliance with his lifetime contract with the Oklahoma Health Professionals Program and that he could safely prescribe Testosterone.

5. Mr. Ricks stated that Defendant is doing well and supports his request to prescribe Testosterone.

### Conclusions of Law

6. 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.*, 59 O.S. 492 *et seq.*; Okla. Admin. Code §§ 435:5-1-1 *et seq.*, 435:10-4-2 *et seq.*
7. Notice was given as required by law and the rules of the Board. 75 O.S. § 309(A); 59 O.S § 504; Okla. Admin. Code §§ 435:3-3-5, 3-3-6.
8. The Board is authorized to suspend, revoke or order any other appropriate sanctions against the license of any physician or surgeon holding a license to practice medicine in the State of Oklahoma for unprofessional conduct. This authority is quasi-judicial. 59 O.S. §§ 503, 513(A)(1). This Board's action is authorized by 59 O.S. §§ 509.1 (A)(3), (4), (F).
9. The Board concluded that Defendant presented sufficient evidence and good cause to support the requested modification to the terms of his indefinite probation.

### Orders

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

1. **STEVE L. SCHOELEN, M.D.**'s motion to modify the terms of his indefinite probation filed October 16, 2017, is **GRANTED**, effective from the date of an approved Attorney General Opinion.

Paragraph "X" of the Order Granting Reinstatement of License After Suspension and Voluntary Submission to Jurisdiction, filed February 22, 2013, states:

X. Defendant will not prescribe, administer, dispense or possess any drugs in Schedule I through III.

Effective from the date of an approved Attorney General Opinion, Paragraph "X" is modified as follows:

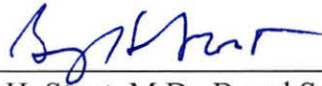
X. Defendant will not, administer, dispense or possess any other drugs in Schedule I through III except Schedule III Testosterone.

2. All other terms of **STEVE L. SCHOELEN, M.D.**'s **INDEFINITE PROBATION** shall remain unchanged and in full force and effect.

3. Failure to meet any of the terms of this Order will be grounds for the Board to initiate proceedings to suspend or revoke the Oklahoma medical license of **STEVE L. SHOELLEN, M.D.**, after additional notice and hearing as required by law.
4. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and costs, investigation costs, staff time, salary and travel expenses, witness fees and attorney's fees.
5. A copy of this order shall be sent to Defendant as soon as it is processed.

**This Order is subject to review and approval by the Oklahoma Attorney General and this Order shall become final upon completion of the review by the Oklahoma Attorney General unless disapproved, in which case this Order shall be null and void.**

Dated this 22<sup>nd</sup> day of December, 2017.



\_\_\_\_\_  
Billy H. Stout, M.D., Board Secretary  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION

**Certificate of Service**

This is to certify that on the 22<sup>nd</sup> day of December, 2017, a true and correct copy of this Order was transmitted as indicated, postage prepaid, to the following:

U.S. Certified Mail  
Steve L. Schoelen, M.D.  
6303 N.W. 31<sup>st</sup> Street  
Bethany, Oklahoma 73008-4109  
**Defendant, pro se**



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Nancy Thiemann, Legal Assistant



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2017-891A

Billy H. Stout, M.D., Board Secretary  
State Board of Medical Licensure and Supervision  
101 NE 51st Street  
Oklahoma City, OK 73105

December 19, 2017

Dear Dr. Billy H. Stout, M.D., Board Secretary:

This office has received your request for a written Attorney General Opinion regarding action that the State Board of Medical Licensure and Supervision intends to take with respect to medical doctor licensee 17719 in case 11-04-4407. The licensee is on permanent probation due to previous disciplinary Action. Licensee has requested to modify the terms of his permanent probation. The Board proposes to comply with licensee's request and allow licensee to prescribe only testosterone.

The Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act authorizes the Board to suspend or revoke a license and order other appropriate sanctions against a licensee for unprofessional conduct, which includes "[h]abitual intemperance or the habitual use of habit-forming drugs," and "[d]ishonorable or immoral conduct which is likely to deceive, defraud, or harm the public." 59 O.S.Supp.2017, §§ 503, 509(4), (8). The Board may believe that the proposed action is reasonable in light of licensee's circumstances and behavior.

It is, therefore, the official opinion of the Attorney General that the State Board of Medical Licensure and Supervision has adequate support for the conclusion that this action advances the State's policy of protecting the health, safety, and well-being of the citizens of Oklahoma.

Handwritten signature of Mike Hunter in black ink.

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

Handwritten signature of Amanda Otis in black ink.

AMANDA OTIS  
ASSISTANT ATTORNEY GENERAL

**RECEIVED**

DEC 21 2017  
OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE  
AND SUPERVISION