

**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. )  
 )  
 DENNIS LEE ROBERTS, M.D., )  
 LICENSE NO. MD 17909, )  
 )  
 Defendant. )

**FILED**

NOV 18 2021

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Case No. 19-10-5823

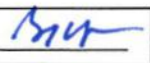
**ORDER ACCEPTING  
VOLUNTARY SUBMITTAL TO JURISDICTION**

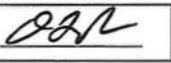
The State of Oklahoma, *ex rel.* Oklahoma State Board of Medical Licensure and Supervision (“Board”), by and through the undersigned counsel for the Plaintiff, as represented by the Secretary of the Board, Billy H. Stout, M.D., and the Executive Director of the Board, Lyle Kelsey, along with Dennis Lee Roberts, M.D. (“Defendant”), Oklahoma medical license No. 17909, who appears in person, hereby offer this Order Accepting Voluntary Submittal to Jurisdiction (herein, “Order” or “Agreement”) for acceptance by the Board. Okla. Admin. Code § 435:5-1-5.1.

By voluntarily submitting to jurisdiction and entering into this Order, Defendant admits to the allegations herein contained and further acknowledges that a hearing before the Board could result in some sanction under the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act (“Act”). 59 O.S. § 480, *et seq.*

Defendant states that he is of sound mind and not under the influence of, or impaired by, any medication or drug and that he fully recognizes his right to appear before the Board for an evidentiary hearing on the allegations made against him. Defendant hereby voluntarily waives his right to a full hearing, submits to the jurisdiction of the Board and agrees to abide by the terms and conditions of this Order. Defendant acknowledges that he has read and understands the terms and conditions stated herein, and that this Agreement may be reviewed and discussed with him by legal counsel prior to execution.

If the Board does not accept this Order, the Parties stipulate that it shall be regarded as null and void. Admissions by Defendant herein, if any, shall not be regarded as evidence against him in a subsequent disciplinary hearing. Defendant will be free to defend himself and no inferences will be made from his willingness to have this Order accepted by the Board. The Parties stipulate that neither the presentation of this Order nor the Board’s consideration of this Order shall be deemed to have unfairly or illegally prejudiced the Board or its individual members and, therefore, shall not be grounds for precluding the Board nor any individual Board member from further participation in proceedings related to the matters set forth herein.

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### Findings of Fact

This action arises out of criminal and unprofessional conduct by the Defendant related to a no-contest plea entered by Defendant on February 26, 2021 in Case No. CF-2018-86B in the District Court of Pottawatomie County, State of Oklahoma. The Plaintiff, Defendant, and the Board staff each stipulate and agree as follows:

1. Defendant entered a no-contest plea on February 26, 2021 in Case No. CF-2018-86B in the District Court of Pottawatomie County, State of Oklahoma, for one count of "Unlawful Distribution of Controlled Substances" in violation of 63 O.S. 2-401(A)(1).
2. In that case, the State offered to present at least one agent from the Oklahoma Bureau of Narcotics (OBN) to provide testimony of the following:
  - a. That, between February 28, 2017 and April 18, 2017, the agent appeared undercover as a patient and the Defendant saw the agent as a patient.
  - b. That Defendant provided a prescription for Schedule II drugs to the agent and that said prescription was signed by Dr. Jeri Lynn Ellis (now deceased).
  - c. That Dr. Ellis never saw the agent as a patient and, instead, Dr. Ellis apparently signed prescriptions that were then provided to the agent by the Defendant.
  - d. That the Defendant, at the time this occurred, did not have prescribing authority for the prescribed medication due to a condition of probation with the Oklahoma Medical Board.
3. By entry of a no-contest plea, Defendant effectively did not dispute the charge and offered no evidence in his defense in response to the State's offer of proof.
4. In exchange for his plea, the Defendant received a 5-year deferred sentence and, as a condition of probation, was ordered to forfeit his DEA/OBN prescribing authority for the full 5-year term.

### Conclusions of Law

1. 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.* and Okla. Admin. Code §§ 435:5-1-1 *et seq.* The Board has specific authority to oversee and discipline Physicians pursuant to 59 O.S. 503 and Okla. Admin. Code § 435:10-7-4.
2. Notice was provided as required by law and the rules of the Board. 75 O.S. § 309; 59 O.S. § 504; Okla. Admin. Code §§ 435:3-3-5, 435:3-3-6.
3. The Board is authorized to suspend, revoke or order any other appropriate conditions against the license of any Physician holding a license to practice in the State of Oklahoma

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for unprofessional conduct. 59 O.S. §§ 503. The Board's action is authorized by 59 O.S. § 509.1, 513.

4. The Board is authorized to accept voluntary submittals to jurisdiction mutually agreed to by parties to a disciplinary action to resolve the action without need for a hearing. 75 O.S. § 309(E); Okla. Admin. Code § 435:5-1-5.1.
5. Based on the foregoing, Defendant is guilty of unprofessional conduct as follows:
  - a. Conviction or confession of, or plea of guilty, nolo contendere, no contest or Alford plea to a crime involving violation of: (a) the antinarcotic or prohibition laws and regulations of the federal government, (b) the laws of this state, (c) State Board of Health Rules, or (d) a determination by a judge or jury, in violation of Okla. Stat. tit. 59 § 509(7).
  - b. The commission of any act which is a violation of the criminal laws of any state when such act is connected with the physician's practice of medicine. A complaint, indictment or confession of a criminal violation shall not be necessary for the enforcement of this provision. Proof of the commission of the act while in the practice of medicine or under the guise of the practice of medicine shall be unprofessional conduct. Okla. Stat. tit. 59 § 509(9).
  - c. Violating any state or federal law or regulation relating to controlled substances, in violation of Okla. Admin. Code 435:10-7-4(27).


### Orders

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

1. The Board hereby adopts the Agreement of the Parties in this Order Accepting Voluntary Submittal to Jurisdiction, including the findings of fact and conclusions of law stated herein.
2. The Oklahoma medical license of **DENNIS LEE ROBERTS, M.D.**, license no. 17909 is hereby placed on **INDEFINITE PROBATION**, under the following terms and conditions.
3. **DENNIS LEE ROBERTS, M.D.**, shall comply with the following terms and conditions:

#### Specific Terms:

- a. Defendant is permanently prohibited from prescribing Controlled Dangerous Substances ("CDS").

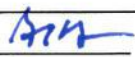
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- b. All of Defendant's prospective employment including employer, related to the medical field and any workplace setting shall be approved of in advance by the Board Secretary during any period that he is working in Oklahoma, which includes locum tenens and tele-medicine. If Defendant desires to change his employment, the proposed working environment must be approved of in advance by the Board Secretary.
- c. Defendant shall obtain a workplace monitor approved of in advance by the Board Secretary, who is not under the authority of Defendant, within the area of his clinical practice, and who has access to all of his patient charts. His practice and charts shall be reviewed by the workplace monitor on a quarterly basis and any concerns reported to the Board Secretary. The workplace monitor shall be available to discuss the Defendant's medical practice upon request with the Board Secretary and Compliance Coordinator. If Defendant desires to change his workplace monitor, the new proposed workplace monitor must be approved of in advance by the Board Secretary. Defendant shall ensure that the workplace monitor supplies quarterly reports to the Compliance Coordinator.

Standard Terms:


- d. Defendant shall conduct his practice in compliance with the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act ("Act") as interpreted by the Board. Any question of interpretation regarding the Act or this Order shall be submitted in writing to the Board, and no action based on the subject of the question will be taken by Defendant until clarification of interpretation is received by Defendant from the Board or its authorized designee. 59 O.S. § 480, *et seq.*
- e. Defendant shall furnish a file-stamped copy of this Order stipulating terms imposed by the Board, to each and every state in which he holds licensure or applies for licensure and to all hospitals, clinics or other facilities in which he holds or anticipates holding any form of staff privileges or employment.
- f. Defendant shall keep the Board informed of his current address.
- g. Defendant shall keep current payment of all assessments by the Board for prosecution, investigation and monitoring of his case, which shall include, but is not limited to, a fee of one hundred fifty dollars (\$150.00) per month during the term of probation, unless Defendant affirmatively obtains a deferment of all or part of said fees upon presentation of evidence that is acceptable to the Board Secretary.
- h. Until such time as all indebtedness to the Board has been satisfied, Defendant shall reaffirm said indebtedness in any bankruptcy proceeding.
- i. Defendant will not supervise allied health professionals, physician assistants, or advanced nurse practitioners, that require surveillance of a licensed medical practitioner. Okla. Admin. Code § 435:5-1-8.

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- j. For good cause shown, upon request of the Board or its designee, Defendant will submit biological specimens for analysis, including but not limited to, blood, urine, hair follicle and nail samples, and Defendant will pay the costs attendant thereto.
  - k. Upon request, Defendant shall make himself available for one or more personal appearances before the Board or its authorized designee.
  - l. Defendant shall submit any required reports and forms on a timely and prompt basis to the Compliance Coordinator or authorized designee.
  - m. Defendant will execute such releases of medical and psychiatric records during the entire term of this Order as necessary for use by the Compliance Coordinator to obtain copies of medical records and assessments, and authorize the Compliance Coordinator to discuss Defendant's case with Defendant's treating physicians and/or any physicians holding Defendant's records.
  - n. If Defendant moves his residence or practice location out of the State of Oklahoma during this Order, this Order will be tolled until such time as Defendant returns to the State of Oklahoma and begins practicing within the state. Defendant will notify the Board Secretary and Compliance Coordinator prior to moving out-of-state.
  - o. Failure to meet any of the terms of this Order will constitute cause for the Board to initiate additional proceedings to suspend, revoke or modify Defendant's license after due notice and hearing.
  - p. Immediately upon learning that a licensee is in violation of a Board-ordered probation, the Executive Director of the Board may summarily suspend the license based on imminent harm to the public and assign a hearing date for the matter to be presented at the next scheduled Board meeting. 59 O.S. § 506(B).
  - q. Immediately upon learning that a licensee has been convicted of a felonious violation of a state or federal narcotics law, the Executive Director of the Board shall summarily suspend the license and assign a hearing date for the matter to be presented to the Board. 59 O.S. § 506(B).
4. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees, investigation costs, staff time, salary and travel expenses, witness fees and attorney's fees.
5. A copy of this Order shall be provided to Defendant as soon as it is processed.

BOARD 

D.L.R. 

Dated this 18<sup>th</sup> day of NOVEMBER, 2021.

*[Handwritten Signature]*

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

*[Handwritten Signature]*

Louis Cox, M.D., President OKLAHOMA  
STATE BOARD OF MEDICAL LICENSURE  
AND SUPERVISION

*[Handwritten Signature]*

Dennis Lee Roberts, M.D.  
Oklahoma License No. 17909  
*Defendant*

*[Handwritten Signature]*

Amanda Everett, OBA No. 30107  
Assistant Attorney General  
STATE OF OKLAHOMA,  
OFFICE OF ATTORNEY GENERAL  
*Attorney for Plaintiff,*  
*Oklahoma State Board of Medical*  
*Licensure and Supervision*

**ACKNOWLEDGMENT**

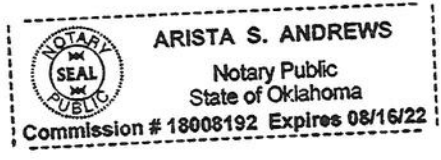
STATE OF OKLAHOMA                    )  
  )   ss.  
COUNTY OF OK                      )

This instrument was acknowledged before me on the 18 day of NOV.,  
2021, by Dennis Lee Roberts, M.D.

*[Handwritten Signature]*

Notary Public

Commission Expiration: 8-16-22



BOARD BRK

D.L.R. BRK

**Certificate of Service**


This is to certify that on the 19<sup>th</sup> day of November, 2021, a true and correct copy of this Order was transmitted as indicated, postage prepaid, to the following:

U.S. Certified Mail, and E-Mail

Dennis Lee Roberts, M.D.  
8370 NW 39<sup>th</sup>  
Bethany, OK 73008  
**DEFENDANT**

E-Mail

Amanda R. Everett  
Assistant Attorney General  
STATE OF OK, OFFICE OF ATTORNEY GENERAL  
313 N.E. 21<sup>st</sup> Street  
Oklahoma City, Oklahoma 73105  
amanda.everett@oag.ok.gov  
**ATTORNEY FOR PLAINTIFF**

  
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Nancy Thiemann, Legal Assistant