

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

FILED

JUN 13 2011

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

STATE OF OKLAHOMA)
EX REL. THE OKLAHOMA BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)
)
)
 Plaintiff,)
)
)
v.)
)
)
WILLIAM LEE WELDEN, M.D.,)
LICENSE NO. 18917,)
)
)
 Defendant.)

Case No. 10-12-4133

COMPLAINT

COMES NOW the Plaintiff, the State of Oklahoma ex rel. the Oklahoma State Board of Medical Licensure and Supervision (the "Board"), by and through its attorney, Elizabeth A. Scott, Assistant Attorney General, and for its Complaint against the Defendant, William Lee Welden, M.D., alleges and states as follows:

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, William Lee Welden, M.D., holds Oklahoma license no. 18917 and practices internal medicine in Oklahoma City, Oklahoma.

CRIMINAL VIOLATIONS

3. In or around 2004, Defendant's grandmother, Patient BPD, a resident of Wichita, Kansas, was diagnosed with dementia. Due to her declining health, she moved to Oklahoma City, Oklahoma to Windsor Manor Assisted Living Center to be closer to her daughter, Mary Welden and her grandson, Defendant. At that time, she gave her daughter, Mary Welden, power of attorney to manage her finances.
4. When Patient BPD moved to Oklahoma City, Defendant became her personal physician. As her physician, Defendant managed all of Patient BPD's health issues, including her increased dementia and pain control.

4. In 2006, Defendant began experiencing financial difficulties. He asked his grandmother, Patient BPD, who he knew suffered from dementia because he was treating her, to loan him some money. She allegedly agreed. Since Defendant's mother had power of attorney over his grandmother's finances, Defendant's mother began giving Defendant money.

5. A review of Patient BPD's bank records reflects that Defendant "borrowed" the following amounts from his grandmother:

2006	\$18,000
2007	\$60,000
2008	\$11,000
2009	\$1,000

6. Defendant admits that by 2007, his grandmother Patient BPD's dementia had worsened and in 2008, she had to be moved to a nursing home, Care Living Center in El Reno, Oklahoma.

7. Regardless of the fact that he knew that his grandmother's dementia had worsened, Defendant continued to "borrow" money from her.

8. In early 2009, the nursing home where Patient BPD resided learned that she no longer had money to pay for her care. Adult Protective Services conducted an investigation and learned that Defendant and his mother had spent all of her money and left her with a \$43,000 debt owed to the nursing home.

9. On or about December 15, 2009, Defendant was arrested and charged with six (6) counts of **FINANCIAL EXPLOITATION OF AN ELDERLY PERSON BY A CARETAKER, A FELONY**.

10. On or about August 24, 2010, Defendant plead **GUILTY** to the amended charge of six (6) counts of **OBTAINING MONEY UNDER FALSE PRETENSES, A MISDEMEANOR**. Defendant received a two (2) year deferred sentence, ordered to perform community service, pay court costs and be supervised by the District Attorney's office during the term of his deferred sentence.

PRESCRIBING VIOLATIONS

11. A review of Patient BPD's medical records reflects that during the time Defendant was "borrowing" money from his grandmother, he was also acting as her physician and prescribing the following controlled dangerous substances to her:

09/21/04	Ambien #30, 3 refills
01/24/05	Ambien #90, 3 refills
11/17/05	Lomotil #60, 3 refills

06/06/06 Lorazepam #30, 1 refill
Lorazepam #180, 3 refills
Ambien #30, 1 refill
Ambien #90, 3 refills

Defendant additionally wrote the following Physician Orders in his grandmother, Patient BPD's chart:

11/03/06 Ambien x 60 days
Ativan x 60 days
Darvocet x 60 days
Hydrocodone x 60 days
Lomotil x 60 days
09/17/07 Ambien x 60 days
Ativan x 60 days
Darvocet x 60 days
Hydrocodone x 60 days
Lomotil x 60 days
10/10/07 Ambien x 60 days
Ativan x 60 days
Darvocet x 60 days
Hydrocodone x 60 days
Lomotil x 60 days
11/06/07 Ambien x 60 days
Ativan x 60 days
Darvocet x 60 days
Hydrocodone x 60 days
Lomotil x 60 days
11/29/07 Ambien x 60 days
Ativan x 60 days
Darvocet x 60 days
Hydrocodone x 60 days
Lomotil x 60 days

12. During this same time, Defendant was also prescribing numerous other dangerous drugs to his grandmother to treat her dementia and other health issues as follows:

13. Defendant is guilty of unprofessional conduct in that he:

A. Procured, aided or abetted a criminal operation in violation of 59 O.S. §509(1).

B. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public in violation of 59 O.S. §509(8) and OAC 435:10-7-4(11).

C. Violated any provision of the medical practice act or the rules and regulations of the Board or of an action, stipulation, or agreement of the Board in violation of 59 O.S. §509(13) and OAC 435:10-7-4(39).

D. Confessed to a crime involving violation of the laws of this state in violation of 59 O.S. §509(7).

E. Committed 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 in violation of 59 O.S. §509(9).

F. Prescribed, sold, administered, distributed, ordered or gave any drug legally classified as a controlled dangerous substance or recognized as an addictive dangerous drug to a family member or to himself or herself in violation of OAC 435:10-7-4(26).

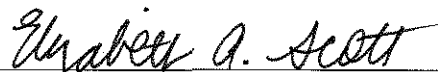
G. Violated any state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).

H. 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).

Conclusion

WHEREFORE, the Plaintiff respectfully requests that the Board conduct a hearing, and, upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation and any other appropriate action with respect to Defendant's medical license, and an assessment of costs and attorney's fees incurred in this action as provided by law.

Respectfully submitted,



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