

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

FILED

SEP 18 2003

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

Plaintiff

v.

CHARLES RAY PHELPS, M.D.,
OKLAHOMA MEDICAL LICENSE NO. 20149,

Defendant.

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 03-07-2686

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, Charles Ray Phelps, M.D., Oklahoma medical license no. 20149, 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, Charles Ray Phelps, M.D., holds Oklahoma medical license no. 20149.

3. On or about June 6, 2003, the Texas State Board of Medical Examiners entered an order **RESTRICTING** and placing Defendant on **PROBATION** based upon an incident where Defendant was arrested for Driving While Intoxicated. At the time of his arrest, Defendant's Breathalyzer test results were .151 and .164. The Texas Board found that Defendant had committed a prohibited act by using alcohol or drugs in an intemperate manner.

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

A. Was subject to disciplinary action of another state or jurisdiction based upon acts or conduct by the licensee similar to acts or conduct that would constitute grounds for


action as defined in this section pursuant to OAC 435:10-7-4(31).

Conclusion

WHEREFORE, plaintiff 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 the revocation or suspension of the Defendant's license to practice as a physician and surgeon in the State of Oklahoma, the assessment of costs and fees incurred in this action, and any other appropriate action with respect to Defendant's license to practice as a physician and surgeon in the State of Oklahoma.

Dated this 17th day of September, 2003 at 3:00 p.m.

Respectfully submitted,


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Oklahoma State Board of Medical
Licensure and Supervision