

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

**FILED**

MAY 23 2014

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA, *ex rel.*  
THE OKLAHOMA STATE BOARD  
OF MEDICAL LICENSURE AND  
SUPERVISION,

Plaintiff,

vs.

DAVID L. GRAHAM, M.D.  
LICENSE NO. 20601,

Defendant.

Case No. 14-03-4937

**COMPLAINT**

The State of Oklahoma, *ex rel.* the Oklahoma State Board of Medical Licensure and Supervision (the "Board"), alleges and states as follows for its Complaint against David L. Graham, M.D.:

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 O.S. § 480, *et seq.*
2. Defendant, David L. Graham, M.D., holds Oklahoma medical license no. 20601. The acts and omissions complained of herein were made while the Defendant was acting as a physician pursuant to his medical license conferred upon him by the State of Oklahoma. Such acts and omissions occurred within the physical territory of the State of Oklahoma.

**Allegations of Unprofessional Conduct**

3. This matter initiated as a result of a written complaint made by JT, related to HT who was a patient and employee of the Defendant.
4. On or about April 8, 2014, Board Investigator SW interviewed HT. HT stated the Defendant treated JT between 2004 and 2006. In approximately 2007 or 2008 HT emailed the Defendant, and they subsequently began a relationship.

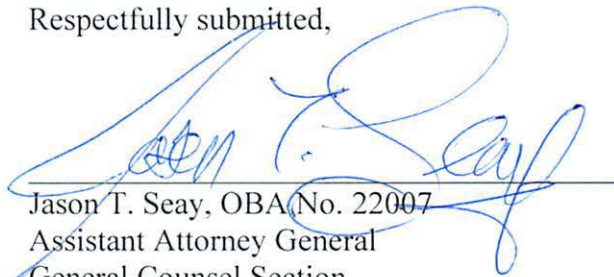
5. HT became an employee of the Defendant in 2011 and their sexual relationship continued. HT stated the Defendant prescribed medication to her during this time and began to verbally and mentally abuse her. HT stated the Defendant would get angry and make abusive assertions to HT. For example, she and the Defendant were in his truck driving in Edmond and he said, "If I ever lose my license I'm going to shoot some people." HT further stated that the Defendant said "all women should be beaten from time to time." HT said she stayed in the relationship because she felt trapped and was working for the Defendant.
6. HT stated the pair traveled to San Francisco and Chicago together and she had been to the Defendant's homes in Edmond and Enid with him.
7. On or about April 23, 2014, Board Investigator SW interviewed the Defendant. The Defendant admitted that HT was a patient of his and they had been involved in a "long-term sexual relationship" which began in approximately 2008 and ended in March of 2014.
8. A review of HT's medical chart revealed that HT became a patient of the Defendant in 2005 and continued to be a patient through 2013. A review of the prescription record revealed that HT received CDS medications from the Defendant in 2012 and 2013. The prescriptions were not noted in HT's patient chart. The Defendant admitted to not charting the CDS prescriptions given to HT.
9. The Defendant is guilty of unprofessional conduct in that he engaged in:
  - a) Engaging in physical conduct with a patient which is sexual in nature, or in any verbal behavior which is seductive or sexually demeaning to a patient in violation of Title 59 O.S. 2011, § 509(17);
  - b) Failure 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 Title 59 O.S. 2011, § 509(18);
  - c) Commission of any act of sexual abuse, misconduct, or exploitation related or unrelated to the licensee's practice of medicine in violation of Oklahoma Administrative Code Section 435:10-7-4(23);
  - d) Improper management of medical records in violation of Oklahoma Administrative Code Section 435:10-7-4(36); and

- e) Abuse of physician's position of trust by coercion, manipulation or fraudulent representation in the doctor-patient relationship in violation of Oklahoma Administrative Code Section 435:10-7-4(44).

### **Conclusion**

Given the foregoing, the undersigned requests that a hearing be conducted 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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