

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

FILED

JUL 25 2008

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

Plaintiff

v.

JOHNNY MCKAY FOWLER, JR., M.D.,
LICENSE NO. 22822,

Defendant.

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 08-05-3507

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, Johnny McKay Fowler, Jr., M.D., Oklahoma license no. 22822, 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, Johnny McKay Fowler, Jr., M.D., holds Oklahoma license no. 22822 and practices internal medicine in Tulsa, Oklahoma.

3. On May 9, 2008, Defendant approached an undercover Tulsa police officer at Turkey Mountain Park, a public park in the City of Tulsa. Defendant asked the undercover officer if he would like to take a walk. They walked approximately one hundred (100) yards, at which time Defendant grabbed his own crotch, then firmly grabbed and rubbed the undercover officer's crotch. Defendant was arrested by the undercover officer at this time.

4. On or about May 27, 2008, Defendant was charged with the crime of **SEXUAL BATTERY**, a felony, in violation of 21 O.S. §1123(B), in the District Court of Tulsa County, State of Oklahoma.

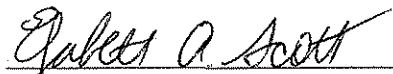
5. Defendant is guilty of unprofessional conduct in that he:
- A. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public in violation of 59 O.S. § 509 (8) and OAC 435:10-7-4 (11).
 - B. Committed any act of sexual abuse, misconduct, or exploitation related or unrelated to the licensee's practice of medicine and surgery in violation of OAC 435:10-7-4 (23).

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 25th day of July, 2008 at 8:40 a.m.

Respectfully submitted,


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Attorney for the State of Oklahoma ex rel.
Oklahoma State Board of Medical
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