

**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. )  
  
**MARK STEPHEN WILSON, M.D.,** )  
**LICENSE NO. MD 24648** )  
  
Defendant. )

**FILED**

DEC 12 2019

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

**Case No. 19-06-5761**

**VERIFIED COMPLAINT**

The State of Oklahoma, *ex rel.* Oklahoma State Board of Medical Licensure and Supervision (“Board”), alleges and states as follows for its Complaint against **MARK STEPHEN WILSON, M.D.** (“Defendant”):

**I. JURISDICTION**

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.*
2. Defendant holds Oklahoma medical license no. 24648.
3. The acts and omissions complained of herein were made while Defendant was acting as a physician pursuant to the license conferred upon him by the State of Oklahoma. Such acts and omissions occurred within the physical territory of the State of Oklahoma.

**II. ALLEGATIONS OF UNPROFESSIONAL CONDUCT**

4. On April 23, 2019, Mark Stephen Wilson was driving on the Creek Turnpike and struck a cable barrier and then attempted to leave the scene of the accident. He was arrested for a misdemeanor violation of Driving Under the Influence of an Intoxicant because he appeared very unsteady on his feet, displayed pin pointed/constricted pupils and

extremely slurred speech while experiencing difficulties in standing without assistance.

5. A small bag of a white powdery substance was located inside of his left rear pocket which field tested positive for cocaine.
6. Board Investigators Melissa Davis and Larry Carter met with Dr. Wilson, and his attorney, on June 19, 2019, at his office in Tulsa, Oklahoma.
7. Asked about the April 23, 2019, incident, Dr. Wilson stated:

“. . . it was a night of celebration that got out of hand, we were celebrating a business deal then ended up with not recalling about six hours. I don't drive drinking. I was at a friend's place, and apparently "pinballing" on the turnpike around 6:45, the next thing I remember is being in the police car. I don't really drink, bourbon sometimes, was taken to do drug toxicology and it showed alcohol, benzos and cocaine . . . then I spent the night in jail. I've never missed a day at the clinic in ten years. I am going through a nasty divorce, I am dealing with repercussions over this, I have two sons, my wife took. I graduated medical school in 2005. I do cocaine a couple times a month for five years now. . . .”
8. On June 20, 2019, Dr. Wilson submitted a urine sample to LabCorp for analysis. It was positive for benzoylecgonine, norcocaine, cocaine and cocaethylene.
9. On June 25, 2019, Dr. Wilson submitted for assessment at Bradford Health Services and made arrangements for inpatient treatment.
10. Dr. Wilson discharged from Bradford Health Services in mid-August 2019, with the recommendation that he not practice for the six (6) weeks between his discharge and his scheduled two-day reassessment set for September 25, 2019.
11. Board Investigator Larry Carter met with Dr. Wilson at his Tulsa office on September 4, 2019.
  - a. Dr. Wilson candidly admitted that he was practicing medicine, but said he was not performing surgery or any other type of procedures. He stated that his current practice consisted of him seeing only those court-appointed patients, many of whom had been waiting for twelve (12) weeks to get an appointment. He said that during the twelve (12) weeks he has not been practicing, he has seen his number of patients fall by approximately forty percent (40%), and that he was concerned that if he continued to not see patients until his re-evaluation, he would not have a practice to return to.

- b. Dr. Wilson acknowledged that the recommendation from Bradford included that he not practice medicine at this time; however, Dr. Wilson said that he is somewhat confused by their recommendation.
- c. Dr. Wilson explained that because of family issues related to his minor children and the start of school, he was forced to leave Bradford five (5) days prior to the scheduled conclusion of his treatment, and that because of this early exit, Bradford arbitrarily added six (6) weeks of time to his treatment without any explanation.
  - 1. According to Bradford, the decision to leave was a unilateral decision of Dr. Wilson and not the recommendation of his treatment providers.
- d. Dr. Wilson said that he has already signed a contract with OHPP, and that he has been completely cooperative with all of those requirements, including caduceus meetings, AA meetings, and drug screens.
  - 1. OHPP does not agree with Dr. Wilson's assessment that he has been completely cooperative.
- e. Dr. Wilson indicated that he intended to continue practicing medicine at this time within his self-imposed limits stated above and stated that if the Board is not satisfied with his position he was willing to speak with staff, although he gave no indication as whether he would consider suspending his practice until his treatment was complete.
- f. Dr. Wilson admitted that he is practicing medicine at his offices in Oklahoma City and Tulsa. Additionally, there are several prescriptions for CDS that have been issued under his authority since September 3, 2019.
  - 1. Dr. Wilson stated that he would be willing to talk to staff to see if he could work out an agreement satisfactory to all parties, but indicated that he intended to continue practicing unless the Board contacts him.


### **III. VIOLATIONS**

- 12. Based on the foregoing, the Defendant is guilty of unprofessional conduct as follows:
  - a. Habitual intemperance or the habitual use of habit-forming drugs; Title 59 O.S. §509(4), OAC 435:10-7-4.3, OAC 435:10-7-4.27; and,
  - b. The inability to practice medicine with reasonable skill and safety to patients by reason of . . . drunkenness, excessive use of drugs, narcotics, chemicals, or any other type of material . . .; Title 59 O.S. 509(15); OAC 435: 10-7-4.3; OAC 435: 10-7-4.18; OAC 435:10-7-4.40.

#### IV. CONCLUSION

Given the foregoing, the undersigned respectfully request the Board to conduct a hearing, and upon proof of the allegation contained herein, impose such disciplinary action as authorized by law and any other appropriate action with respect to the Defendant's professional license, including an assessment of costs and attorney's fees incurred in this action as provided by law.

Respectfully submitted,

  
Marc S. Pate, OBA No. 10567  
Assistant Attorney General  
313 NE 21<sup>st</sup> Street  
Oklahoma City, Oklahoma 73105  
(405)521-3921

#### VERIFICATION

I, Melissa Davis, under penalty of perjury, under the laws of the State of Oklahoma, state as follows:

1. I have read the above Complaint regarding **MARK STEPHEN WILSON, M.D.**;  
and,
2. The factual statements contained therein are true and correct to the best of my knowledge and belief.



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Melissa Davis, Investigator  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION

Date: 12/4/19  
\_\_\_\_\_  
Oklahoma County, Oklahoma