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

)

)

)

))

))))

))

)

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

Plaintiff,

vs.

ROBERT CHARLES WELLIVER, SR., M.D., ) LICENSE NO. MD 28229, ) JAN 14 2022

OKLAHOMA STATE BOARD OF MEDICAL LICENSURE & SUPERVISION

Case No. 21-04-5985

Defendant.

## VERIFIED COMPLAINT

The State of Oklahoma, *ex rel.*, the Oklahoma State Board of Medical Licensure and Supervision ("Board"), alleges and states as follows for its Complaint against ROBERT CHARLES WELLIVER, SR., M.D. ("Defendant"):

#### **I. JURISDICTION**

- 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, holds Oklahoma medical license number 28229. The acts and omissions complained of herein were made while Defendant was acting as a physician pursuant to the medical license conferred upon him by the State of Oklahoma, and such acts and omissions occurred within the physical territory of the State of Oklahoma.

### **II. ALLEGATIONS OF UNPROFESSIONAL CONDUCT**

3. On or about March 20, 2021, an online complaint alleged that Defendant's relationship with a patient's family had evolved to the point that it was no longer healthy or professional.

### **III. VIOLATIONS**

- 4. Based on the foregoing, the Defendant is guilty of unprofessional conduct as follows:
- 5. Violation of professional boundaries by engaging in a personal relationship with the family of a patient outside the medical setting in violation of 59 O.S. §509(13).

## CONCLUSION

Given the foregoing, the undersigned requests 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 the Defendant's professional license, including an assessment of costs and attorney's fees incurred in this action as provided by law.

Joseph L. Ashbaker, OBA No. 19395
Assistant Attorney General
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION
313 NE 21<sup>ST</sup> Street
Oklahoma City, Oklahoma 73105
405/522.2974
405/522.4536 – Facsimile

# VERIFICATION

I, Lawrence Carter, under penalty of perjury, under the laws of the State of Oklahoma, stateas follows:

1. I have read the above Complaint regarding the Defendant, ROBERT CHARLES WELLIVER, SR., M.D.; and

2. The factual statements contained therein are true and correct to the best of my knowledge and belief.

Lawrence Carter, Investigator OKLAHOMA STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION

Date: Wahowa County, ok