

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

FILED

JAN 18 2024

STATE OF OKLAHOMA *EX REL*)
OKLAHOMA STATE BOARD OF)
MEDICAL LICENSURE AND)
SUPERVISION,)
Plaintiff)
)
)
v.)
)
JOHN THOMAS BELK, M.D.,)
LICENSE NO. MD 30768)
)
Defendant.)

Case No. 23-03-6204 OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

**ORDER ACCEPTING
VOLUNTARY SUBMITTAL TO JURISDICTION**

The State of Oklahoma, *ex rel.* Oklahoma State Board of Medical Licensure and Supervision ("Board"), by and through the undersigned counsel for the Plaintiff, as represented by the Secretary of the Board, Billy H. Stout, M.D., and the Executive Director of the Board, Lyle Kelsey, along with John Thomas Belk, M.D. "Defendant", Oklahoma medical license no. 30768, who appears not but through counsel, David A. Russell (collectively, the "Parties, and offer this Order Accepting Voluntary Submittal to Jurisdiction (herein, "Order" or "Agreement") for acceptance by the Board. Okla. Admin. Code § 435:5-1-5.1.

By voluntarily submitting to jurisdiction and entering into this Order, Defendant acknowledges the allegations contained herein and further acknowledges that a hearing before the Board could result in some sanction under the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act ("Act"). 59 O.S. § 480, *et seq.*

Defendant, John Belk, MD, states that he is of sound mind and is not under the influence of, or impaired by, any medication or drug and that he fully recognizes his right to appear before the Board for an evidentiary hearing on the allegations made against him. Defendant hereby voluntarily waives his right to a full hearing, submits to the jurisdiction of the Board and agrees to abide by the terms and conditions of this Order. Defendant acknowledges that he has read and understands the terms and conditions stated herein, and that this Agreement may be reviewed and discussed with him by legal counsel prior to execution.

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If the Board does not accept this Order, the Parties stipulate that it shall be regarded as null and void. Defendant will be free to defend himself and no inferences will be made from his willingness to have this Order accepted by the Board.

Findings of Fact

1. On July 12, 2023, the Board filed a complaint against the Defendant alleging violations of 59 O.S. § 480 et seq., and Okla. Admin Code 435:5-1-1, et seq. regarding an inappropriate relationship with a patient occurring in 2018 and 2019.

2. Defendant had been a practicing physician in Oklahoma from 2016 until June of 2022 when he sold his practice and moved to Florida. Defendant maintains he resigned his medical license on July 1, 2022. However, the State maintains that his license is simply inactive as it was suspended on or about September 1, 2022, by operation of law on the 61st day following the reregistration date for failing to renew the same. See paragraph 5 of Amended Order denying Defendant's Motion to Dismiss.

3. There was no investigation pending regarding Dr. Belk's license in 2022 at the time his license became inactive.

4. Defendant moved to dismiss the Board's complaint for a lack of personal and subject matter jurisdiction. A hearing was held on September 14, 2023, wherein the Board denied Defendant's Motion to Dismiss, per its Amended Order filed October 13, 2023.

5. Defendant has subsequently appealed the Board's denial of his Motion to Dismiss to both the Oklahoma County District Court and the Oklahoma Supreme Court.

6. Any conclusion of law below which is more properly characterized as a finding of fact is hereby incorporated as a finding of fact.


Conclusions of Law

7. The Board has jurisdiction over the subject matter due to this VSJ and is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of allopathic physicians who hold a license to practice allopathic medicine in the State of Oklahoma. 59 O.S. § 480, et seq. and Okla. Admin. Code 435:5-1-1, et seq.

8. Notice was provided as required by law and the rules of the Board. 75 O.S. § 309; 59 O.S. § 504; Okla. Admin. Code §§ 435:3-3-5, 435:3-3-6.

9. Defendant holds medical license no. 30768, issued 07/01/2016 by the Oklahoma Board of Medical Licensure and Supervision. The acts and/or omissions detailed by the Verified Complaint in this matter were alleged to have occurred while Defendant was licensed to practice allopathic medicine by and in the State of Oklahoma.

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10. The Board is authorized to accept voluntary submittals to jurisdiction mutually agreed to by all parties to a disciplinary action to resolve the action without need for a hearing. 75 O.S. § 309(E); Okla. Admin. Code § 435:5-1-5. 1.

11. Based on the foregoing, the Board finds as follows:

a. That the Board has previously found that Defendant's allopathic medical license was suspended by operation of law when Defendant failed to apply for reregistration within 60 days of July 1, 2022, per 59 O.S. § 495.D.

b. That no action is being taken upon Defendant's previously suspended license as an operation of law.

c. That should the Defendant ever seek to practice allopathic medicine in Oklahoma again, he will first comply with all prerequisites for reinstatement of licensure as provided for by 59 O.S. § 495.D and Okla. Admin. Code §§ 435:5-1-6.1.

d. That should the Defendant in the future seek to practice allopathic medicine in Oklahoma he will agree to first submit to any assessment deemed necessary by the Board, including but not limited to assessment for professional conduct boundaries, at one of the locations approved by the Board. Defendant will be responsible for the costs of the same.

e. Following assessment(s), the Board will have the option of ordering Defendant to complete any or all of the recommended programs, classes, courses, etc. deemed necessary by any assessment(s) submitted to by Defendant as directed by the Board before his license may be reinstated in Oklahoma. These will be at Defendant's cost.

f. Any finding of fact conclusion of law above which is more properly characterized as a conclusion of law is hereby incorporated as a finding of fact.

Orders

IT IS THEREFORE ORDERED by the Oklahoma State Board of Medical Licensure and Supervision as follows:

1. The Board hereby adopts the Agreement of the Parties in this Order Accepting Voluntary Submittal to Jurisdiction, including the findings of fact and conclusions of law stated herein.

2. **JOHN THOMAS BELK, M.D.** remains suspended as an operation of law for non-payment of renewal fees.

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3. That should **JOHN THOMAS BELK, M.D.** wish to return to Oklahoma to practice allopathic medicine, he will contact the Board prior to submitting an application for reinstatement and determine the process for the aforementioned evaluation(s).

4. That should **JOHN THOMAS BELK, M.D.** wish to return to Oklahoma to practice allopathic medicine, Defendant will submit to a professional conduct boundaries assessment or any other assessment the Board determines appropriate and necessary, selecting from one of the programs approved by the Board. Defendant will attend the assessment(s) at his cost.

5. That should **JOHN THOMAS BELK, M.D.** wish to return to Oklahoma to practice allopathic medicine, The Board will require Defendant to appear and will require that Defendant have completed any and all recommended programs, classes, courses, therapies, etc. deemed necessary by any assessment(s) as a prerequisite to reinstatement of his license in Oklahoma, and approve any conditions of said reinstatement. These will be at Defendant's cost.

6. That because Defendant's Oklahoma Medical License was previously suspended for non-payment of fees, that suspension remains.

7. That no adverse action is being taken against the Defendants license at this time.

8. A copy of this Order shall be provided to Defendant as soon as it is processed.

Dated this 18th day of January, 2024.

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Steven Katsis, M.D., President
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION



Billy H. Stout, M.D., Board Secretary
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION



John Thomas Belk, M.D.
33584

License No. 30768

Defendant
MEDICAL



David A. Russell, OBA No. 15104
Emily Jones Ludiker, Oba No. 21719
ROLDOLF & TODD
15 East 5th Street, 6th Floor
Tulsa, OK 74103
(918) 295-2100

Attorney for Defendant,
John Thomas Belk, MD



Alex A. Pedraza, OBA No. 33584
Assistant Attorney General
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION
313 N.E. 21st Street
Oklahoma City, OK 73105
Counsel for Plaintiff

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CERTIFICATE OF SERVICE

This is to certify that on the 19th day of January, 2024, a true and correct copy of this Order was transmitted as indicated, postage prepaid, to the following:

U.S Certified Mail

John Thomas Belk, M.D.
310 N. 7th Ave.
Pensacola, Florida 32501
Defendant

US Certified Mail

David A. Russell, OBA No. 15104
Emily Jones Ludiker, OBA No. 21719
Roldolf & Todd
15 East 5th Street, 6th Floor
Tulsa, Oklahoma 74103
Attorney for Defendant

Email:

Alex A. Pedraza, AAG
STATE OF OKLAHOMA
OFFICE OF ATTORNEY GENERAL
313 N.E. 21st Street
Oklahoma City, Oklahoma 73105
(405) 522-5264
Alex.pedraza@oag.ok.gov
Attorney for Plaintiff



Shelley Crowder