

**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.)
)
WILSON BERNALES, M.D.,)
LICENSE NO. MD 30971,)
)
Defendant.)

FILED
NOV 02 2020
OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 19-09-5808

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 **WILSON BERNALES, 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. In Oklahoma, Defendant holds medical license no. **30971**

II. ALLEGATIONS OF UNPROFESSIONAL CONDUCT

4. On September 17, 2019, the Board received a report that **WILSON BERNALES, M.D.**, Petition for Reinstatement of Medical License was denied by the Wyoming Medical Board on September 11, 2019.
5. Per Wyoming Board of Medicine in the Reinstatement Matter of: Wilson F. Bernales, M.D., Petition, Docket No. 17-07: (43) “The Acumen Report concluded Dr. Bernales is unfit to practice medicine and CPEP declined to create an Educational intervention program for him to correct his deficiencies. To the extent that Dr. Bernales provided Dr.

Kinsora's "favorable" report to replace or counter the Acumen Report, the Board is not persuaded that the report meets the necessary requirements of the Suspension Order." (44) "The Acumen Report concluded that Dr. Bernales lacks the capacity for honesty, trustworthiness, and moral integrity necessary for a physician." (45) "The Board finds and concludes Dr. Bernales has failed to meet his burden of proving that he is able to safely, skillfully and competently practice medicine."

III. VIOLATIONS

18. Based on the foregoing, defendant is guilty of unprofessional conduct as follows:
- a. Disciplinary action of another state or jurisdiction against a license or other authorization to practice medicine and surgery based upon acts of conduct by the licensee similar to acts or conduct that would constitute grounds for action as defined in this section, a certified copy of the record of the action taken by the other state or jurisdiction being conclusive evidence thereof; OAC 435: 10-7-4(31);
 - b. Being physically or mentally unable to practice medicine and surgery with reasonable skill and safety; OAC 435:10-7-4(17), Title 59 O.S. §15;
 - c. Practice or other behavior that demonstrates an incapacity or incompetence to practice medicine and surgery. 435:10-7-3(18);

IV. CONCLUSION

Given the foregoing, the undersigned respectfully request the Board to conduct a hearing, and upon proof of the allegation(s) contained herein, suspend the professional license of **WILSON BERNALES, M.D.**, including an assessment of costs and attorney's fees incurred in this action as provided by law.

Respectfully submitted,



Marc S. Pate, QBA No. 10567
Assistant Attorney General
313 NE 21st 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 **WILSON BERNALES, M.D., M.D.**;
and,
2. The factual statements contained therein are true and correct to the best of my knowledge and belief.



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

Executed this 29th day of October, 2020, in Oklahoma County, State of Oklahoma.