

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

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

Plaintiff,)

v.)

EDWARD ESPARZA, M.D.)
MEDICAL LICENSE NO. 7429)

Defendant.)

Case No. 02-11-2575

FILED

MAR 27 2003

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

**VOLUNTARY SURRENDER OF LICENSE
IN LIEU OF PROSECUTION**

State of Oklahoma)
)
Oklahoma County)

I, Edward Esparza, M.D., being of lawful age and after first being duly sworn, depose and state as follows:

I hereby voluntarily surrender my Oklahoma medical license no. 7429.

2. The surrender of my license is freely and voluntarily made. I have not been subject to any coercion or duress, and I am fully aware of the consequences of the surrender of my license.

3. I am the subject of a Complaint before the Oklahoma State Board of Medical Licensure and Supervision involving allegations that if proven, would constitute grounds for disciplinary action by the Board.

4. I do not contest the following allegations:

A. Defendant, Edward Esparza, M.D., holds Oklahoma license no. 7429.

B. In or around August 1997, Patient A became a patient of Defendant. In or around 1999, Patient A went to Defendant for treatment.

ORIGINAL

C. From 1999 through 2002, Defendant engaged in sexual intercourse with Patient A at his office and at her home. Defendant engaged in these sexual acts at the same time he was maintaining a physician-patient relationship and prescribing controlled dangerous substances to her.

D. Defendant is guilty of unprofessional conduct in that he:

i. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public in violation of 59 O.S. § 509 (9) and OAC 435:10-7-4 (11).

ii. Engaged in physical conduct with a patient which is sexual in nature, or in any verbal behavior which is seductive or sexually demeaning to a patient in violation of 59 O.S. §509 (18).


iii. Prescribed a controlled substance without medical need in accordance with published standards in violation of 59 O.S. §509(17) and OAC 435:10-7-4(2) and (6).

5. I hereby submit my wallet card and wall certificate as evidence of my intent to surrender my license.

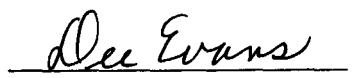
6. I hereby agree that I will not apply for reinstatement of my Oklahoma medical license for a minimum of one year from the entry of the Order Accepting Voluntary Surrender in Lieu of Prosecution, and that if the Board ever reinstates my Oklahoma medical license, it will be under terms of probation to be set by the Board at the time of reinstatement.

7. As a condition to accepting my surrender of license in lieu of prosecution, I acknowledge that the Board may require me to pay all costs expended by the Board for any legal fees and costs, and any investigation, probation and monitoring fees, including but not limited to staff time, salary and travel expense, witness fees and attorney fees.

DATED this 26th day of March, 2003.

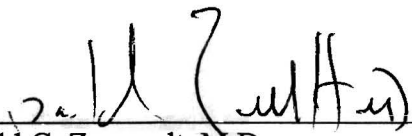

Edward Esparza, M.D.

Subscribed and sworn before me this 26 day of March, 2003.


Notary Public # 2006661

My commission expires on 4-15-2006

ACCEPTED:

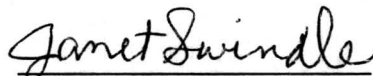


Gerald C. Zumwalt, M.D.
Secretary
Oklahoma State Board of Medical
Licensure and Supervision

Date: 3-27-03

CERTIFICATE OF MAILING

I certify that on the 28 day of March, 2003, I mailed, via first class mail, postage prepaid, a true and correct copy of this Order to John Coyle, III, 119 N. Robinson Suite 320, Oklahoma City, OK 73102



Janet Swindle, Secretary