

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

FILED

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

MAY 29 1998

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Plaintiff, )

v. )

Case No. 98-04-1994

LEE C. RITTENHOUSE, M.D., )  
MEDICAL LICENSE NO. 12365, )

Defendant. )

VOLUNTARY SUBMITTAL TO JURISDICTION AND ORDER

Plaintiff, the State of Oklahoma, ex rel. the Oklahoma State Board of Medical Licensure and Supervision (the "Board"), by and through its attorney, Susan Moebius Henderson, Assistant Attorney General for the State of Oklahoma and the staff of the Board, as represented by the Secretary of the Board, Gerald C. Zumwalt, M.D., and the Executive Director of the Board, Lyle Kelsey, and the Defendant, Lee C. Rittenhouse, M.D., Medical License No. 12365, who appears in person, proffer this Agreement for acceptance by the Board *en banc* pursuant to Section 435:5-1-5.1 of the Oklahoma Administrative Code ("OAC").

Background Facts

Defendant's Complaint and Citation result from the Board's investigation of Susan Jane Waldenville, Physician Assistant 627, Oklahoma State Board of Medical Licensure and Supervision Case No. 98-03-1984. The unprofessional acts committed by Defendant were acts and omissions made by him while supervising Waldenville. Defendant admitted to the acts and omissions in the Complaint and Citation while fully cooperating in Waldenville's investigation.

Agreement and Acknowledgment by Defendant

By voluntarily submitting to jurisdiction and entering into this Order, Defendant pleads guilty to the allegations in the Complaint and Citation filed herein on April 23, 1998 and acknowledges that hearing before the Board would result in some sanction under the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act (the "Act").

Defendant, Lee C. Rittenhouse, M.D., 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 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 been advised of his legal right to appear before the Board with legal counsel and that he has waived that right. Defendant further acknowledges that he has read and understands the terms and conditions stated herein.

### Parties' Agreement and Stipulations

Plaintiff, Defendant and the Board staff stipulate and agree as follows:

#### *Findings of Fact*

1. Defendant, Lee C. Rittenhouse, M.D., is the holder of Oklahoma Medical License No. 12356.
2. Defendant was the primary supervising physician for a physician assistant named Susan Jane Waldenville, Oklahoma P.A. license no. 627, from January 5, 1995 to January 31, 1997.
3. Defendant signed and left blank prescriptions for Waldenville's use to prescribe controlled drugs to patients.
4. After Waldenville left Defendant's practice, Defendant reviewed several charts of patients seen by Waldenville and discovered that Waldenville had authorized large numbers of controlled drug prescriptions for many patients. Although Defendant addressed this situation with the affected patients, he never advised the Board of Waldenville's unprofessional conduct until interviewed by Board staff.
5. As a result of acts and omissions while supervising Waldenville, Defendant is guilty of unprofessional conduct under the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act and Board's regulations in that he:
  - A. Confessed to a crime involving violation of the anti-narcotic laws of the federal government and this state in violation of 59 Okla. Stat. §509(8) and (10) and OAC 435:10-7-4(27).
  - B. Violated, directly or indirectly, the provisions of the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act, and the rules and regulations of the Board, either as a principal, accessory or accomplice in violation of 59 Okla. Stat. §509(14) and OAC 435 10-7-4(39).

- C. Aided and abetted, directly or indirectly, the practice of medicine by a person not duly authorized under the laws of this state in violation of 59 Okla. Stat. §509(15) and OAC 435:10-7-4(21).
- D. Failed to report to Waldenville's unprofessional conduct to the Board as required by OAC 435:10-7-4(43).

6. As a result of these acts and omissions, Defendant was perpetuating significant harm to the public health, safety and welfare.

7. Defendant has cooperated fully in the Board's investigation of Waldenville.

8. The Board has jurisdiction of the subject matter herein, and proper notice has been given as required by law and the rules of the Board.

### *Conclusions of Law*

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Act and the OAC. The Board is authorized to enforce the Act as necessary to protect the public health, safety and welfare.

2. Defendant, Lee C. Rittenhouse, M.D., License No. 12356, by reason of the above facts, is guilty of unprofessional conduct under the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act and Board's regulations in that he:

- A. Confessed to a crime involving violation of the anti-narcotic laws of the federal government and this state in violation of 59 Okla. Stat. §509(8) and (10) and OAC 435:10-7-4(27).
- B. Violated, directly or indirectly, the provisions of the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act, and the rules and regulations of the Board, either as a principal, accessory or accomplice in violation of 59 Okla. Stat. §509(14) and OAC 435:10-7-4(39).
- C. Aided and abetted, directly or indirectly, the practice of medicine by a person not duly authorized under the laws of this state in violation of 59 Okla. Stat. §509(15) and OAC 435:10-7-4(21).
- D. Failed to report to Waldenville's unprofessional conduct to the Board as required by OAC 435:10-7-4(43).

*Order*

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

1. The Board *en banc* hereby adopts the agreement of the parties in this Voluntary Submittal to Jurisdiction.

2. Pursuant to the parties' voluntary agreement and submittal to jurisdiction, Lee C. Rittenhouse, M.D. holding Oklahoma Medical License No. 12356, should be and is hereby FORMALLY REPRIMANDED for the conduct described above.

3. Defendant shall not supervise licensed allied health professionals without first obtaining a copy of the applicable practice act and regulations and diligently adhering to the obligations and responsibilities of supervising physicians stated therein.

4. Promptly upon receipt of an invoice for such charges, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and investigation costs.

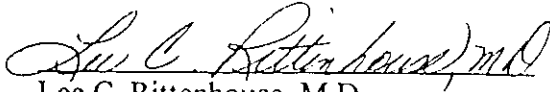
Dated this 29 day of May, 1998.




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Eric E. Frische, M.D., Vice President  
Oklahoma State Board of Medical  
Licensure and Supervision

AGREED AND APPROVED:



Lee C. Rittenhouse, M.D.  
Oklahoma Medical License No. 12356



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



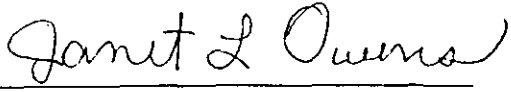
Susan Moebius Henderson, OBA #11858  
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State of Oklahoma  
5104 N. Francis, Suite C  
Oklahoma City, OK 73118  
405/848-6841

Attorney for the Oklahoma State Board  
of Medical Licensure and Supervision

CERTIFICATE OF MAILING

This is to certify that on this 1st of June 1998, a true and correct copy of this order was mailed, postage prepaid to:

Lee C. Rittenhouse, M.D.  
1114 Fenwick Place  
Oklahoma City, OK 73116

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Janet L. Owens, Secretary