

**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.)
)
SUSAN SHILLING, R.C.,)
LICENSE NO. RC 1244,)
)
Defendant.)

FILED

APR 12 2016

**OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION**

Case No. 16-02-5265

AMENDED 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 Susan Shilling, R.C. (“Defendant”):

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, surgeons and other allied health professionals in the State of Oklahoma pursuant to 59 Okla. Stat. § 480 *et seq.*
2. Defendant holds Oklahoma Respiratory Care license number 1244, issued November 14, 1996.
3. The acts and omissions complained of herein were made while Defendant was acting as a Respiratory Care provider pursuant to the respiratory care license conferred upon her by the State of Oklahoma. Such acts and omissions occurred within the physical territory of the State of Oklahoma.

PRIOR BOARD HISTORY

4. On August 29, 1996, Defendant, *f/k/a* Susan Sykes, submitted an Application for Licensure with the Board. In response to the question, “Are you now or have you, within the past two years, been addicted to, or used in excess, any drug or chemical substance including alcohol, or been treated through a rehabilitation program?” Defendant answered “NO,” which was false.
5. On November 2, 2000, Defendant entered into a Voluntary Submittal to Jurisdiction (“VSJ”) Board Case No. 00-06-2204, resulting from a 1994 prosecution and sentencing

in Duncan, Oklahoma for Unlawful Possession of Marijuana and Drug Paraphernalia. She received a one year suspended sentence on both counts to run concurrently. From April through June 2000, Defendant stopped attending her AA and NA meetings that relapsed on "speed." The Board placed Defendant on terms of a five (5) year probation, which ended in 2005.

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

6. Board Investigators received information advising that in approximately August 2015, Defendant had to leave her shift at work because she had overused her prescribed medications and was unable to perform her duties safely.
7. Defendant has been prescribed numerous medications, but had primarily taken Hydrocodone, Xanax and Ambien. Defendant admitted to Board Investigator Washbourne that she had taken Ambien and Xanax prior to her shift at work, on August 9, 2015, and, as a consequence, she was unable to perform her duties and had to be taken home by a co-worker.
8. On October 26, 2015, Defendant began inpatient treatment at Valley Hope and returned to work thereafter.
9. In January 2016, the Investigators received information alleging concerns regarding Defendant's behavior and substandard care of her patients.
10. Defendant admitted to Investigator Washbourne that subsequent to her discharge from Valley Hope she was noncompliant with the discharge summary therefrom.
11. Defendant admitted that she knowingly procured prescriptions from her physician without informing her physician that she had gone through treatment for substance abuse and without disclosing the recommendations from that treatment.
12. Further, Defendant took medications contrary to the discharge summary and contrary to the recommendations contained therein.
13. Defendant further admitted that she needs help.

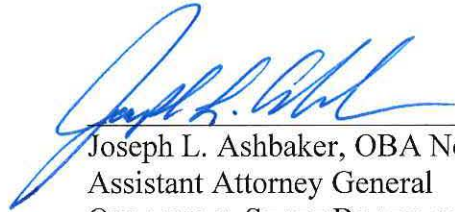
VIOLATIONS

14. Based on the foregoing, the Defendant is guilty of professional misconduct as follows:
 - a. Is addicted to, or has improperly obtained, possessed, used or distributed habit-forming drugs or narcotics; in violation of 59 O.S. 1995, § 2040(4);
 - b. Habitually intemperate or addicted use of any drug, chemical or substance which could result in behavior that interferes with the practice of respiratory care and the responsibilities of the licensee in violation of Okla. Admin. Code §§ 435:45-5-3(a)(1);

- c. Violating any provision of the respiratory Care Practice Act or the rules promulgated by the board in violation Okla. Admin. Code § 435:45-5-3(a)(21);

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 revocation pursuant to 59 O.S. 2011, § 509.1(A)(1) 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.




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VERIFICATION

I, Steve Washbourne, under penalty of perjury, under the laws of the State of Oklahoma, state as follows:

1. I have read the above Complaint regarding the Defendant, Susan Shilling, R.C.; and
2. The factual statements contained therein are true and correct to the best of my knowledge and belief.



Steve Washbourne, Investigator
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION

Date: 4-12-16

Oklahoma County
Place of Execution