

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,)

SEP 23 2011

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff,)

v.)

Case No. 11-04-4221

AMY CHRISTINE WALKER, P.A.,)
LICENSE NO. PA1419,)

Defendant.)

COMPLAINT

COMES NOW the Plaintiff, the State of Oklahoma ex rel. the Oklahoma State Board of Medical Licensure and Supervision (the "Board"), by and through its attorney, Elizabeth A. Scott, Assistant Attorney General, and for its Complaint against the Defendant, Amy Christine Walker, P.A., alleges and states as follows:

1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physician assistants in the State of Oklahoma pursuant to 59 Okla. Stat. §§ 480 *et seq.* and 887.1 *et seq.*

2. Defendant, Amy Christine Walker, P.A., holds Oklahoma physician assistant license no. PA1419 and at the time of the events in question, practiced at FastER Care in Oklahoma City, Oklahoma under the supervision of Andrew Hoelscher, M.D.

PRIOR SUBSTANCE ABUSE TREATMENT

3. In or around late 2007, Defendant began abusing Lortab. She obtained the Lortab by asking physician friends and other physician assistants to call in the medications for her.

4. In or around January 2008, while working at Midwest Regional Medical Center in Midwest City, Oklahoma, Defendant found a stack of pre-signed prescriptions. She took them and wrote them to herself for Lortab. The pharmacy became suspicious, contacted the emergency department where she worked, and confirmed that the prescriptions were not legitimate.

5. As a result of this incident, Defendant signed a two (2) year contract with the Health Professionals Recovery Program. She also obtained outpatient treatment at the St. Anthony Start Program for six (6) weeks.

6. In January 2010, Defendant completed her contract with the HPRP and was released.

CURRENT SUBSTANCE ABUSE

7. In or around March 2010, just two (2) months after completing her contract with the HPRP, Defendant relapsed on Lortab. Defendant's drug use quickly escalated to IV Dilaudid she obtained from the waste at her work at FastER Care. Defendant admits that she would order more Dilaudid than needed, she would give the patient some of the Dilaudid, and would take the rest for her personal use. Defendant admits that she injected the Dilaudid while she was at work.

8. Defendant admits that she also used IV Fentanyl while at work when she could not obtain Dilaudid.

9. On or about April 2011, Defendant's supervising physician became suspicious and confronted Defendant, at which time she admitted that she had relapsed.

10. Beginning on or about May 4, 2011 and continuing until August 1, 2011, Defendant obtained inpatient treatment for substance abuse at Palmetto.

11. Subsequent to leaving treatment, Palmetto learned that Defendant had not been honest regarding a relationship with another patient during her treatment and required her to return to Palmetto for additional treatment to address her dishonesty. Palmetto then revised its aftercare recommendations to address this issue.

12. Defendant is guilty of unprofessional conduct in that:

- A. She has violated a provision of the Medical Practice Act or the rules promulgated by the Board pursuant to OAC 435:15-5-11(a)(7).
- B. She has engaged in dishonorable or immoral conduct which is likely to deceive, defraud, or harm the public in violation of 59 O.S. §509(8) and OAC 435:10-7-4(11).
- C. She has violated any provision of the medical practice act or the rules and regulations of the Board or of an action, stipulation, or agreement of the Board in violation of OAC 435:10-7-4(39).

- D. She habitually uses intoxicating liquors or habit-forming drugs in violation of OAC 435:15-5-11(a)(1), 59 O.S. §509(4) and OAC 435:10-7-4(3).
- E. She is unable to practice medicine with reasonable skill and safety to patients by reason of age, illness, drunkenness, excessive use of drugs, narcotics, chemicals or any other type of material or as a result of any mental or physical condition in violation of 59 O.S. §509(15) and OAC 435:10-7-4(40).
- F. She has engaged in the commission of any act which is a violation of the criminal laws of any state when such act is connected with the physician's practice of medicine in violation of 59 O.S. §509(9).
- G. She has violated or attempted to violate, directly or indirectly, any of the provisions of the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act, either as a principal, accessory or accomplice in violation of 59 O.S. §509(13).
- H. She has engaged in the use of any false, fraudulent, or deceptive statement in any document connected with the practice of medicine and surgery in violation of OAC 435:10-7-4(19).
- I. She has confessed to a crime involving violation of the antinarcotic or prohibition laws and regulations of the federal government and the laws of this state in violation of 59 O.S. §509(7).
- J. She failed to keep complete and accurate records of the purchase and disposal of controlled drugs or narcotic drugs in violation of 59 O.S. §509(10).
- K. She prescribed, dispensed or administered controlled substances or narcotic drugs in excess of the amount considered good medical practice, or prescribed, dispensed or administered controlled substances or narcotic drugs without medical need in accordance with published standards in violation of 59 O.S. §509(16).

- L. She prescribed, dispensed or administered controlled substances or narcotic drugs in excess of the amount considered good medical practice or prescribed, dispensed or administered controlled substances or narcotic drugs without medical need in accordance with published standard in violation of OAC 435:10-7-4(2) and (6).
- M. She violated any state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).
- N. She prescribed, sold, administered, distributed, ordered, or gave any drug legally classified as a controlled substance or recognized as an addictive dangerous drug to a family member or to himself or herself in violation of OAC 435:10-7-4(26).
- O. She purchased or prescribed any regulated substance in Schedule I through V, as defined by the Uniform Controlled Dangerous Substance Act, for the physician's personal use in violation of OAC 435:10-7-4(5).

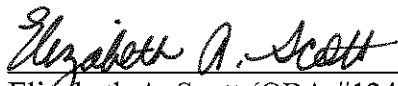
13. These allegations raise serious concerns about Defendant's ability to practice as a physician assistant in the State of Oklahoma with reasonable skill and safety.

Conclusion

WHEREFORE, the Plaintiff respectfully requests that 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 suspension or revocation and any other appropriate action with respect to Defendant's physician assistant license, and an assessment of costs and attorney's fees incurred in this action as provided by law.

Dated this 21 day of September, 2011.

Respectfully submitted,



Elizabeth A. Scott (OBA #12470)

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State of Oklahoma

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Attorney for the Plaintiff