

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

STATE OF OKLAHOMA, *ex rel.*)
THE OKLAHOMA STATE BOARD)
OF MEDICAL LICENSURE AND)
SUPERVISION,)
)
Plaintiff,)
)
vs.)
)
ANNE MARIE FLANAGAN, L.D.)
LICENSE NO. LD 1465)
)
Defendant.)

FILED

MAR 16 2023

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 22-12-6186

ORDER RATIFYING IMMEDIATE ORDER OF SUSPENSION

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the “Board”) on March 16, 2023, at 101 N.E. 51st Street, Oklahoma City, OK 743105, pursuant to notice given as required by law and the rules of the Board.

Joe Ashbaker, Assistant Attorney General (“AAG Ashbaker”) appeared on behalf of Plaintiff. Defendant appeared not.

The Board, having heard argument of AAG Ashbaker, reviewing the Exhibits, and being fully apprised of the premises, found that there is clear and convincing evidence to support the following findings of fact and conclusions of law:

Findings of Fact

1. In Oklahoma, Defendant holds physical therapist assistant license no. LD 1465, originally issued November 2, 2006.
2. On August 10, 2021, Defendant signed a 4-year contract with APPA to run through August 10, 2025. On December 16, 2022, notification of a positive alcohol screen performed on December 6, 2022, was received from Affinity. A follow up PEth blood test was ordered for Monday, December 19, 2022, to confirm this result, however, Defendant chose not to take a test and a no-show alert was reported by Affinity.
3. Defendant then notified APPA by email on December 18, 2022, that she desired to terminate her APPA contract.

4. Terms of the APPA contract signed by Defendant state in part, "I further agree that violating my APPA contract or leaving the program before being released will be a breach of this agreement and would constitute grounds to file disciplinary action.
5. On December 21, 2022, an Immediate Suspension of Licensed Dietitian Assistant License was filed pursuant to 59 O.S. §518.1(J) and Okla. Admin. Code §435:12:1:8(c). Defendant was served on January 27, 2023 and a Return of Service was filed the same day.
6. AAG Joe Ashbaker summarized the facts as to the reasons underlying the entry of the Summary Suspension Order.
7. Any finding of fact which is more properly characterized as a conclusion of law is hereby incorporated as a conclusion of law.

Conclusions of Law

8. 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 Licensed Dietitians in the State of Oklahoma. 59 O.S. 887.1 et seq.; Okla. Admin. Code §§ 435:20- 3-1 et seq., 435:12-1-8.
9. Notice was provided as required by law and the rules of the Board. 75 O.S. § 309; 59 O.S. §518.1(J), Okla. Admin. Code §435:12-1-8(c).
10. Any conclusion of law which is more properly characterized as a finding of fact is hereby incorporated as a finding of fact.

Orders

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

11. The Immediate Suspension of Licensed Dietitian License, filed on December 21, 2022, is RATIFIED.
12. A copy of this order shall be provided to Defendant as soon as it is processed.
13. This Order is subject to review and approval by the Oklahoma Attorney General, and this Order shall become final upon completion of the review by the Oklahoma Attorney General unless disapproved, in which case this Order shall be null and void.

Dated this 16th day of March 2023.



Trevor Nutt, Vice President
Oklahoma State Board of Medical
Licensure and Supervision

Certificate of Mailing

This is to certify that on the 17th day of March, 2023, a true and correct copy of this order was sent by U.S. first-class mail, postage prepaid, to:

Anne Marie Flanagan, L.D. #1465
1211 North Shartel Avenue, Suite 409
Oklahoma City, Oklahoma 73103



Shelley Crowder