

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

AUG 14 2009

STATE OF OKLAHOMA, ex rel.,)
OKLAHOMA STATE BOARD OF)
MEDICAL LICENSURE AND)
SUPERVISION,)

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff,)

vs.)

CASE NO. 09-07-3813

LINDA JEAN RISELEY, R.C.)
R.C. LICENSE NO. 155,)

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, Linda Jean Riseley, R.C., 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 respiratory care therapists in the State of Oklahoma pursuant to 59 Okla. Stat. §§ 480 *et seq.* and 2026 *et seq.*

2. Defendant, Linda Jean Riseley, R.C., holds respiratory care license no. RC155 in the State of Oklahoma. During the times relevant to the Complaint, Defendant was employed at Cancer Treatment Center in Tulsa, Oklahoma.

3. Beginning on or about December 31, 2008 and continuing through March 5, 2009, Defendant voluntarily obtained treatment for alcohol abuse at Sedlacek Treatment Center in Cedar Rapids, Iowa. After completing treatment, Defendant returned to Cancer Treatment Center in Tulsa, Oklahoma and continued practicing as a respiratory therapist.

4. On or about June 28, 2009, Defendant intentionally overdosed on Phenergan. She was transported to Southcrest Hospital in Tulsa, Oklahoma, then was transferred to Parkside Psychiatric Hospital where she stayed for four (4) days. During this time, Defendant was scheduled to work at Cancer Treatment Center but did not show up for her scheduled shift.

5. Based on the allegations stated above, Defendant is guilty of unprofessional conduct in that she:

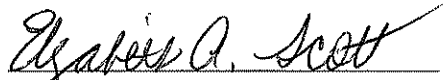
- A. Is guilty of unprofessional conduct as defined by the rules established by the Board, or of violating the code of ethics adopted and published by the Board in violation of 59 Okla. Stat. §2040(9) and 435:45-5-3(24).
- B. Is addicted to, or has improperly obtained, possessed, used or distributed habit-forming drugs or narcotics in violation of 59 Okla. Stat. §2040(4).
- C. Is unfit or incompetent by reason of negligence, habits, or other causes of incompetency in violation of 59 Okla. Stat. §2040(2).
- D. Has violated any provision of the Respiratory Care Practice Act in violation of 59 O.S. §2040(8) and 435:45-5-3(21).
- E. Left a patient care assignment or patient without properly advising appropriate personnel in violation of 435:45-5-3(18).
- F. Engaged in the unauthorized possession and use of illegal or controlled substances or pharmacologic agents without lawful authority or prescription by an authorized and licensed independent practitioner of the state of Oklahoma in violation of 435:45-5-3(2).

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

WHEREFORE, plaintiff 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, the assessment of costs and fees incurred in this action, and any other appropriate action with respect to Defendant's license to practice as a respiratory care therapist in the State of Oklahoma.

Dated this 14th day of August, 2009.

Respectfully submitted,



Elizabeth A. Scott (OBA #12470)

Assistant Attorney General

5104 N. Francis, Suite C

Oklahoma City, OK 73154

Attorney for State ex rel.

Oklahoma Board of Medical Licensure and
Supervision