

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

FILED

AUG 13 2010

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA )  
EX REL. THE OKLAHOMA BOARD )  
OF MEDICAL LICENSURE )  
AND SUPERVISION, )  
 )  
Plaintiff )  
 )  
v. )  
 )  
HEATHER MICHELLE LITCHFORD, O.T., )  
LICENSE NO. OT1591, )  
 )  
Defendant. )

Case No. 10-07-4023

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, Heather Michelle Litchford, OT, Oklahoma license no. OT1591, 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 occupational therapists in the State of Oklahoma pursuant to 59 O.S. 888.1 *et seq.* and 59 Okla. Stat. §480 *et seq.*
2. Defendant, Heather Michelle Litchford, OT, holds Oklahoma occupational therapy license no. OT1591.
3. On or about April 15, 2009, Defendant surrendered to authorities and was charged in the Circuit Court of Pulaski County, State of Arkansas, with **FELONY MEDICAID FRAUD** and **MISDEMEANOR FAILURE TO MAINTAIN AND SUPPLY RECORDS** based upon certain incidents where Defendant submitted claims to Medicaid for occupational therapy services which were not accurate.
4. On or about September 28, 2009, Defendant plead guilty to the misdemeanor charge. She received a one (1) year probation and was also required to pay restitution of \$7,500.00 by January 1, 2010.
5. Defendant is guilty of unprofessional conduct in that she:

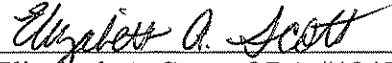
- A. Has engaged in unprofessional conduct as defined by the rules established by the Board, or violated the Code of Ethics adopted and published by the Board in violation of 59 O.S. § 888.9(A)(2).
- B. Violated any lawful order, rule, or regulation rendered or adopted by the Board in violation of 59 O.S. § 888.9(A)(4) and OAC 435:30-1-10(a)(29).
- C. Violated any provision of this act (the Occupational Therapy Practice Act) in violation of 59 O.S. § 888.9(A)(5).
- D. Was convicted of, or confessed to or plead no contest to a felony or misdemeanor in violation of OAC 435:30-1-10(a)(2).
- E. Engaged in dishonorable or immoral conduct that is likely to deceive, defraud, or harm the public in violation of OAC 435:30-1-10(a)(3).
- F. Participated in fraud, abuse and/or violation of state or federal laws in violation of OAC 435:30-1-10(a)(6).
- G. Engaged in fraudulent billing practices and/or violation of Medicare and Medicaid laws or abusive billing practices in violation of OAC 435:30-1-10(a)(7).
- H. Engaged in the improper management of medical records, inaccurate recording, falsifying or altering of patient records in violation of OAC 435:30-1-10(a)(8).

### *Conclusion*

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 the revocation or suspension of the Defendant's license to practice as an occupational therapist in the State of Oklahoma, the assessment of costs and fees incurred in this action, and any other appropriate action with respect to Defendant's license to practice as an occupational therapist in the State of Oklahoma.

Dated this 13<sup>th</sup> day of August, 2010 at 8:00 a.m.

Respectfully submitted,



Elizabeth A. Scott, OBA #12470  
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Oklahoma State Board of Medical  
Licensure and Supervision