

**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. )  
  
**AMBER DAWN STACHMUS, P.A.,** )  
**LICENSE NO. 1729,** )  
  
Defendant. )

**FILED**

**JAN 21 2021**

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

**Case No. 20-02-5880**

**ORDER ACCEPTING  
VOLUNTARY SUBMITTAL TO JURISDICTION**

The State of Oklahoma, *ex rel.* Oklahoma State Board of Medical Licensure and Supervision (“Board”), by and through the undersigned counsel for the Plaintiff, as represented by the Secretary of the Board, Billy H. Stout, M.D., and the Executive Director of the Board, Lyle Kelsey, along with Amber Dawn Stachmus, P.A.. (“Defendant”), Oklahoma Physician Assistants License No. 1729, who appears in person, and through counsel Elizabeth A. “Libby” Scott of Crowe & Dunlevy (collectively, the “Parties”), hereby offer this Order Accepting Voluntary Submittal to Jurisdiction (herein, “Order” or “Agreement”) for acceptance by the Board. Okla. Admin. Code § 435:5-1-5.1.

By voluntarily submitting to jurisdiction and entering into this Order, Defendant admits to the allegations herein contained and further acknowledges that a hearing before the Board could result in some sanction under the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act (“Act”). 59 O.S. § 480, *et seq.*

Defendant, Amber Dawn Stachmus, P.A., states that she is of sound mind and is not under the influence of, or impaired by, any medication or drug and that she fully recognizes her right to appear before the Board for an evidentiary hearing on the allegations made against her. Defendant hereby voluntarily waives her right to a full hearing, submits to the jurisdiction of the Board and agrees to abide by the terms and conditions of this Order. Defendant acknowledges that she has read and understands the terms and conditions stated herein, and that this Agreement may be reviewed and discussed with her by legal counsel prior to execution.

If the Board does not accept this Order, the Parties stipulate that it shall be regarded as null and void. Admissions by Defendant herein, if any, shall not be regarded as evidence against her



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in a subsequent disciplinary hearing. Defendant will be free to defend herself and no inferences will be made from her willingness to have this Order accepted by the Board. The Parties stipulate that neither the presentation of this Order nor the Board's consideration of this Order shall be

deemed to have unfairly or illegally prejudiced the Board or its individual members and, therefore, shall not be grounds for precluding the Board nor any individual Board member from further participation in proceedings related to the matters set forth herein.

### Findings of Fact

The Plaintiff, Defendant, and the Board staff each stipulate and agree as follows:

1. In Oklahoma, Defendant holds Physician Assistants license no. 1729.
2. On November 4, 2020, a *Verified Complaint* and *Citation* were each filed by the Board. Hearing was set for January 21, 2021. Defendant was served on November 10, 2020 by private process server. An *Affidavit of Service* was filed on November 12, 2020.
3. An *Answer* has not been filed herein; however, Defendant has been represented throughout this proceeding by Elizabeth A. Scott, OBA #12470.
4. A Complaint was initiated and investigation opened in February 2020 after Defendant was terminated from her employment with Bella Luce Medical Spa when it was determined that Defendant had called in two prescriptions for herself in the name of her Supervising Physician. Said prescriptions were for Phentermine in August and December of 2019. Defendant's supervising physician was unaware of said prescriptions and had provided no authority to Defendant for said actions. A review of the National Practitioner Data Bank (NPDB) confirmed said prescriptions.
5. Defendant has admitted to the described actions and to her guilt in this matter.
6. Defendant's conduct amounts to unprofessional conduct and discipline is warranted.

### Conclusions of Law

7. 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 and surgeons in the State of Oklahoma. 59 O.S. § 480 *et seq.* and Okla. Admin. Code §§ 435:51-1 *et seq.* The Board has specific authority to oversee and discipline Physician Assistants pursuant to 59 O.S. 519.3(E) and Okla. Admin. Code § 435:15-5-11(a)(4).
8. Notice was provided as required by law and the rules of the Board. 75 O.S. § 309; 59 O.S. § 504; Okla. Admin. Code §§ 435:3-3-5, 435:3-3-6.

9. The Board is authorized to suspend, revoke or order any other appropriate conditions against the license of any Physician Assistant holding a license to practice in the State of Oklahoma for unprofessional conduct. 59 O.S. §§ 503, 513(A)(1), 519.3E. The Board's action is authorized by 59 O.S. § 509.1 and/or 519.3(E).
10. The Board is authorized to accept voluntary submittals to jurisdiction mutually agreed to by parties to a disciplinary action to resolve the action without need for a hearing. 75 O.S. § 309(E); Okla. Admin. Code § 435:5-1-5.1.
11. Based on the foregoing, Defendant is guilty of unprofessional conduct as follows:
  - a. Prescribing a regulated substance in Schedule I through V, as defined by the Uniform Controlled Dangerous Substances Act, for personal use in violation of **Title 59 O.S. § 519, et seq.: OAC 435:15-5-II(a)(4) and OAC 435:10-7-4(5) and (26).**

### Orders

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

1. The Board hereby adopts the Agreement of the Parties in this *Order Accepting Voluntary Submittal to Jurisdiction*, including the findings of fact and conclusions of law stated herein.
2. **AMBER DAWN STACHMUS, P.A.**, Oklahoma Physician Assistants license no. 1729, is hereby formally **REPRIMANDED**.
3. Defendant's prescribing privileges shall be temporarily restricted as follows: Defendant shall not prescribe Schedule III or Schedule IV substances for a period of 90 days once Defendant begins work again in her professional capacity. Defendant is to notify the Board immediately once she resumes work as a Physician Assistant. This Order is effective from the date this Order is approved by the Board.
4. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees, investigation costs, staff time, salary and travel expenses, witness fees and attorney's fees.
5. A copy of this Order shall be provided to Defendant as soon as it is processed.

*sm*

*As*

Dated this 21<sup>st</sup> day of January, 20 21.

*[Handwritten Signature]*

Billy H. Stout, M.D., Board Secretary  
OKLAHOMA STATE BOARD OF  
MEDICAL  
LICENSURE AND SUPERVISION

*Amber Stachmus, PA-C*  
Amber Dawn Stachmus, P.A.  
Oklahoma License No. 1729

**Defendant**

*Amber Dawn Stachmus*  
01-21-2021

*[Handwritten Signature]*

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**Attorney for Defendant**

*[Handwritten Signature]*

James M. Brinkworth, M.D., President  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION

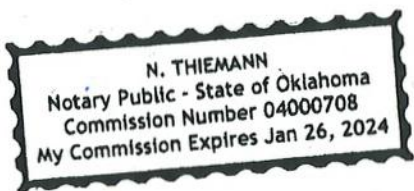
*[Handwritten Signature]*

Amanda R. Everett, OBA No. 30107  
Assistant Attorney General  
STATE OF OKLAHOMA,  
OFFICE OF ATTORNEY GENERAL  
**Attorney for Plaintiff,**  
**Oklahoma State Board of Medical**  
**Licensure and Supervision**

**ACKNOWLEDGMENT**

STATE OF OKLAHOMA )  
 ) ss.  
COUNTY OF )

This instrument was acknowledged before me on the 21<sup>st</sup> day of January,  
2021, by Amber Dawn Stachmus.



*[Handwritten Signature]*

Notary Public  
Commission Expiration: 1/26/2024

*AS*

**Certificate of Service**


This is to certify that on the 22<sup>nd</sup> day of January, 2021, a true and correct copy of this Order was transmitted as indicated, postage prepaid, to the following:

U.S. Certified Mail, and E-Mail

Elizabeth A. "Libby" Scott  
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A Professional Corporation  
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*Attorney for Defendant*  
*Amber Stachmus, P.A.*

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Nancy Thiemann, Legal Assistant

