

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

FILED

DEC - 1 2022

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

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

Plaintiff,)

v.)

Case No. 22-08-6149

CHELSEA LORUS MCKINNEY, OA,)
LICENSE NO. OA 1797,)

Defendant.)

VERIFIED COMPLAINT

The State of Oklahoma, *ex rel.* Oklahoma State Board of Medical Licensure and Supervision (“Board”), for its Verified Complaint against Chelsea Lorus McKinney, OA (“Defendant”), alleges and states as follows:

I. JURISDICTION

1. 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 occupational therapist assistants in the State of Oklahoma. 59 O.S. § 888.1, *et seq.* and Okla. Admin. Code 435:30-1-1 *et seq.*
2. In Oklahoma, Defendant holds Oklahoma License No. OA 1797.

II. ALLEGATIONS OF UNPROFESSIONAL CONDUCT

3. Defendant was initially issued her Occupational Therapy Assistant license, No. 1797, by the Board on November 1, 2016. Defendant is additionally licensed as an occupational therapy assistant by the Arkansas State Medical Board (“ASMB”), holding license number OT-A1154.
4. Defendant was terminated from her employment for a company providing occupational therapy services in both Oklahoma and Arkansas on November 3, 2021, after it was discovered that Defendant had been repeatedly, fraudulently billing for occupational therapy assistant services provided by herself to patients that were never actually rendered.
5. Defendant’s former employer subsequently reported Defendant’s misconduct to both the Board and the ASMB. Following expert review and confirmation regarding allegations of

either the same and/or additional fraudulent billing, the ASMB issued an Emergency Order of Suspension and Notice of Hearing on June 16, 2022.

6. The ASMB subsequently issued a Consent Order on October 20, 2022, wherein Defendant admitted to the allegations of inappropriate and fraudulent billing practices alleged in the Emergency Order. Defendant agreed to attend continuing education courses related to her violations, pay a civil penalty, along with costs of the investigation, and submit to the ASMB's workplace approval, in addition to a workplace monitor. In exchange, Defendant's license was reinstated, and the ASMB further agreed to dismiss the allegations upon proof of completion of Defendant's conditions.

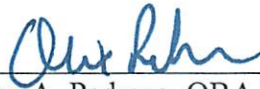
III. VIOLATIONS

7. Based on the foregoing, Defendant is guilty of violating the following relevant provisions of law:
 - a. Engaging in unprofessional conduct as defined by the rules established by the Board, or violating the Code of Ethics adopted and published by the Board, in violation of 59 O.S. § 888.9(A)(2) of the Occupational Therapy Practice Act, to wit:
 - i. Dishonorable conduct that is likely to deceive, defraud, or harm the public, in violation of Okla. Admin. Code § 435:30-1-10(2).
 - ii. Participation in fraud, abuse and/or violation of state laws, in violation of Okla. Admin. Code § 435:30-1-10(5).
 - iii. Fraudulent billing practices and/or violation of Medicare and Medicaid laws or abusive billing practices, in violation of Okla. Admin. Code § 435:30-1-10(6).
 - iv. Improper management of medical records, inaccurate recording, falsifying or altering of patient records, in violation of Okla. Admin. Code § 435:30-1-10(7).
 - v. Violation of any provision(s) of the Occupational Therapy Practice Act or the rules and regulations of the board or of an action, stipulation, agreement or order of the Board, in violation of Okla. Admin. Code § 435:30-1-10(28).
 - vi. Failure to report to the Board any adverse action taken against him or her by another licensing jurisdiction (United States or foreign), by any governmental agency, by any law enforcement agency, or by a court for acts or conduct similar to acts or conduct that would constitute grounds for action as defined in this section, in violation of Okla. Admin. Code § 435:30-1-10(29).

IV. CONCLUSION

Given the foregoing, the undersigned respectfully requests 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 professional license, including an assessment of costs and attorney's fees incurred in this action as provided by law.

Respectfully submitted,



Alex A. Pedraza, OBA No. 33584
Assistant Attorney General
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION
101 N.E. 51st Street
Oklahoma City, Oklahoma 73105
Telephone: 405.522.5264
Email: Alex.Pedraza@oag.ok.gov

VERIFICATION

I, Robbin Roberts, under penalty of perjury, under the laws of the State of Oklahoma, state as follows:

1. I have read the above Complaint regarding Chelsea Lorus McKinney, OA.; and
2. The factual statements contained therein are true and correct to the best of my knowledge and belief.



Robbin Roberts, Investigator
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION

Date:

12-1-22

Oklahoma Co., Oklahoma
County, State of Execution