



that she has read and understands the terms and conditions stated herein, and that this Agreement has been reviewed and discussed with her by her legal counsel.

### ***PARTIES' AGREEMENT AND STIPULATIONS***

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

#### ***Findings of Fact***

1. The Board 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 pursuant to 59 Okla. Stat. §480 *et seq.* The Board has jurisdiction over this matter, and notice has been given in all respects in accordance with law and the rules of the Board.

2. Defendant, Karis Ann Bernhardt Steele, M.D., holds Oklahoma license no. 18198 and practices internal medicine in Midwest City, Oklahoma.

#### **SUBSTANCE ABUSE ALLEGATIONS**

3. On or about September 18, 2008, Defendant's medical assistant, LML, found a clear envelope with white powder spilling out of it on Defendant's office chair. LML obtained a sample of the powder and provided it to the Midwest City Police Department. The sample subsequently tested positive for Cocaine.

4. After the September 18, 2008 incident at her office, Defendant went to The Passages in Malibu, California for treatment for substance abuse. Defendant left treatment after ten (10) days.

5. On or about October 28, 2008, Board Investigator Jana Lane, along with OBNDD Agent Brian Veazey, interviewed Defendant. At this time, Defendant admitted using Oxycontin that had not been prescribed to her, but denied using Cocaine during the past twenty (20) years. Defendant stated that she obtained the Oxycontin from friends or that she purchased it for \$10-\$20 per pill.

6. On or about November 2, 2008, Defendant began treatment for substance abuse at Santé Center for Healing. While at Santé, Defendant admitted abusing Oxycontin and Crack Cocaine over the past year.

7. Defendant left Santé over Christmas to be with her family. While on leave, Defendant relapsed.

8. Defendant returned to Santé after Christmas, but relapsed while in treatment. Defendant admitted that she consumed alcohol and used cocaine with another patient while on a pass from Santé.

9. On or about February 25, 2009, Defendant left Santé before completing treatment. Santé contacted Defendant and asked her to return and complete treatment, but she refused. She was then discharged Against Medical Advice.

10. On or about April 3, 2009, Investigator Lane interviewed Defendant at her residence in Midwest City, Oklahoma. Investigator Lane asked Defendant for a urine specimen, but Defendant said she could not provide one at that time. Investigator Lane also asked Defendant if she had been attending weekly meetings of the Oklahoma Health Professionals Recovery Program (the "HPRP") and Defendant advised her that she had been attending these meetings. Defendant lied to Investigator Lane, in that she had previously confirmed that Defendant had not been attending the HPRP meetings.

### **PRESCRIBING VIOLATIONS**

11. On or about June 20, 2008, Defendant wrote prescriptions for (ninety) 90 Alprazolam 2mg., a Schedule IV controlled dangerous substance, and ninety (90) Lorcet 10 mg., a Schedule III controlled dangerous substance, to Doug Steele, her ex-husband. On July 18, 2008, Defendant wrote another prescription for sixty (60) Lorcet 10 mg., a Schedule III controlled dangerous substance, to Doug Steele, her ex-husband. A review of Defendant's records reveals no indication that Defendant ever performed a physical examination on this patient, that she did not establish a legitimate medical need for the medical treatment, that she did not establish a valid physician patient relationship prior to prescribing the medications, and that she failed to maintain an office record which accurately reflects the evaluation, treatment and medical necessity of treatment of the patient. Defendant has no medical chart relating to this patient.

12. Defendant is guilty of unprofessional conduct in that she:

A. Is habitually intemperate or habitually uses habit-forming drugs in violation 59 O.S. §509(4) and OAC 435:10-7-4(3).

B. Violated any provision of the medical practice act or the rules and regulations of the Board or of an action, stipulation, or agreement of the Board in violation of 59 O.S. §509(13) and OAC 435:10-7-4(39).

C. Is unable to practice medicine with reasonable skill and safety to patients by reason of age, illness, drunkenness, excessive use of drugs, narcotics, chemicals or any other type of material or

as a result of any mental or physician condition in violation of 59 O.S. §509(15) and OAC 435:10-7-4(40).

D. Confessed to a crime involving violation of the antinarcotics laws and regulation of the federal government or the laws of this state in violation of 59 O.S. §509(7).

E. Committed any act which is a violation of the criminal laws of any state when such act is connected with the physician's practice of medicine in violation of 59 O.S. §509(9).

F. Prescribed or administered a drug or treatment without sufficient examination and the establishment of a valid physician patient relationship in violation of 59 O.S. §509(12).

G. Failed to maintain an office record for each patient which accurately reflects the evaluation, treatment, and medical necessity of treatment of the patient in violation of 59 O.S. §509(18) and OAC 435:10-7-4 (41).

H. Violating any state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).

I. Failed to cooperate with a lawful investigation conducted by the Board in violation of OAC 435:10-7-4(38).

### *Conclusions of Law*

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act (the "Act") and its applicable regulations. The Board is authorized to enforce the Act as necessary to protect the public health, safety and welfare.

2. Defendant, Karis Ann Bernhardt Steele, M.D., Oklahoma medical license 18198, is guilty of unprofessional conduct set forth below based on the foregoing facts:

A. Is habitually intemperate or habitually uses habit-forming drugs in violation 59 O.S. §509(4) and OAC 435:10-7-4(3).

B. Violated any provision of the medical practice act or the rules and regulations of the Board or of an action, stipulation, or

agreement of the Board in violation of 59 O.S. §509(13) and OAC 435:10-7-4(39).

C. Is unable to practice medicine with reasonable skill and safety to patients by reason of age, illness, drunkenness, excessive use of drugs, narcotics, chemicals or any other type of material or as a result of any mental or physician condition in violation of 59 O.S. §509(15) and OAC 435:10-7-4(40).

D. Confessed to a crime involving violation of the antinarcotics laws and regulation of the federal government or the laws of this state in violation of 59 O.S. §509(7).

E. Committed any act which is a violation of the criminal laws of any state when such act is connected with the physician's practice of medicine in violation of 59 O.S. §509(9).

F. Prescribed or administered a drug or treatment without sufficient examination and the establishment of a valid physician patient relationship in violation of 59 O.S. §509(12).

G. Failed to maintain an office record for each patient which accurately reflects the evaluation, treatment, and medical necessity of treatment of the patient in violation of 59 O.S. §509(18) and OAC 435:10-7-4 (41).

H. Violating any state or federal law or regulation relating to controlled substances in violation of OAC 435:10-7-4(27).

I. Failed to cooperate with a lawful investigation conducted by the Board in violation of OAC 435:10-7-4(38).

### ***Order***

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

1. The Board *en banc* hereby adopts the agreement of the parties in this Voluntary Submittal to Jurisdiction.

2. Pursuant to the parties' voluntary agreement and submittal to jurisdiction, Defendant shall be placed on **PROBATION** for a period of five (5) years under the following terms and conditions:

A. Defendant will conduct her practice in compliance with the

Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act as interpreted by the Oklahoma State Board of Medical Licensure and Supervision. Any question of interpretation regarding said Act shall be submitted in writing to the Board and no action based on the subject of the question will be taken by Defendant until clarification of interpretation is received by Defendant from the Oklahoma State Board of Medical Licensure and Supervision.

B. Upon request of the Board Secretary, Defendant will request all hospitals in which she anticipates practicing to furnish to the Board Secretary of the Oklahoma State Board of Medical Licensure and Supervision a written statement regarding monitoring of her practice while performing services in or to that hospital.

C. Defendant will furnish to each and every state in which she holds licensure or applies for licensure and hospitals, clinics or other institutions in which she holds or anticipates holding any form of staff privilege or employment, a copy of the Board Order stipulating sanctions imposed by the Oklahoma State Board of Medical Licensure and Supervision.

D. Defendant will not supervise allied health professionals that require surveillance of a licensed physician.

E. Defendant will execute such releases of medical and psychiatric records during the entire term of probation as necessary for use by the Compliance Consultant or other Board designee to obtain copies of medical records and authorize the Compliance Consultant or other Board designee to discuss Defendant's case with Defendant's treating physicians and/or physicians holding Defendant's records.

F. Defendant will submit biological fluid specimens to include, but not limited to, blood and urine, for analysis, upon request of the Oklahoma State Board of Medical Licensure and Supervision or its designee, and Defendant will pay for the analysis thereof.

G. Defendant will not prescribe, administer or dispense any medications for personal use or for that of any family member.

H. Defendant will take no medication except that which is authorized by a physician treating her for a legitimate medical

need. Defendant has the affirmative duty to inform any and every doctor treating her of the Board Order immediately upon initiation, or continuation of treatment.

I. Defendant will have the affirmative duty not to ingest any substance, including but not limited to alcohol, which will cause a body fluid sample to test positive for prohibited substances.

J. Defendant will authorize in writing the release of any and all information regarding her treatment at Santé and any other records of her medical, emotional or psychiatric treatment to the Oklahoma State Board of Medical Licensure and Supervision.

K. Defendant will abide by the terms and recommendations of Santé and with all terms of her postcare contracts with Santé and the Oklahoma Health Professionals Recovery Program.

L. Defendant will sign a contract with and attend a minimum of one (1) meeting per week of the Health Professionals Recovery Program unless excused by the HPRP.

M. Defendant will attend ninety (90) 12-Step meetings in ninety (90) days subsequent to her discharge from Santé. Thereafter, Defendant will attend a minimum of four (4) 12-Step meetings per week.

N. Defendant shall obtain a primary care physician who shall monitor her general health and who shall also be responsible for managing the use of all prescription and non-prescription medications except those prescribed by Defendant's psychiatrist. Defendant shall seek treatment from her primary care physician at least once per year. Defendant shall designate one (1) pharmacy to provide all of her medication needs.

O. Defendant shall obtain a sponsor.

P. Defendant shall designate a single dental care provider.

Q. Defendant shall initiate therapy and psychiatric care within two (2) weeks of her discharge from Santé with Paul Pierce, M.D. or another therapist and psychiatrist approved in advance in writing by the Board Secretary. Defendant shall submit quarterly reports of her treatment from her therapist and psychiatrist to the Board Secretary or his designee for his review. Defendant shall continue her counseling and treatment until her therapist, her psychiatrist and the Board Secretary deems it no longer necessary.

R. Defendant shall not return to the practice of medicine until specifically authorized to do so by Lanny Anderson, M.D. of the Oklahoma Health Professionals' Recovery Program. During the first thirty (30) days after her return to the practice of medicine, Defendant shall practice no more than thirty (30) hours per week on site and shall not practice off site. Thereafter for the next year, Defendant shall limit her practice to not more than fifty (50) hours per week.

S. Defendant shall promptly notify the Board of any relapse, including any entry, or re-entry, into a treatment program for substance abuse.

T. Defendant shall promptly notify the Board of any citation or arrest for traffic or for criminal offenses involving substance abuse.

U. Defendant will keep the Oklahoma State Board of Medical Licensure and Supervision informed of her current address.

V. Defendant will keep current payment of all assessments by the Oklahoma State Board of Medical Licensure and Supervision for prosecution, investigation and monitoring of her case, which shall include but is not limited to a one hundred dollar (\$100.00) per month fee during the term of probation.

W. Until such time as all indebtedness to the Oklahoma State Board of Medical Licensure and Supervision has been satisfied, Defendant will reaffirm said indebtedness in any and all bankruptcy proceedings.

X. Defendant shall make herself available for one or more personal appearances before the Board or its designee upon request.

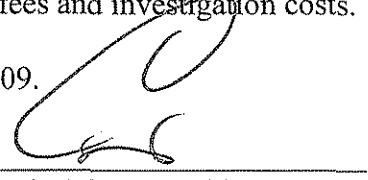
Y. Defendant shall submit any required reports and forms on a timely, accurate and prompt basis to the Compliance Coordinator or designee.

Z. Failure to meet any of the terms of this Board Order will constitute cause for the Board to initiate additional proceedings to suspend, revoke or modify Defendant's license after due notice and hearing.



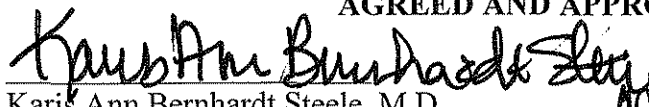
3. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and investigation costs.


Dated this 17 day of September, 2009.



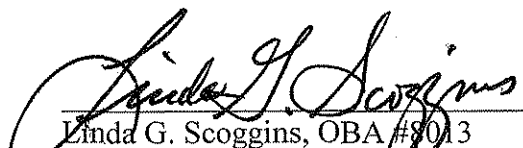
Curtis Harris, M.D., President  
Oklahoma State Board of  
Medical Licensure and Supervision

**AGREED AND APPROVED**


  
Karis Ann Bernhardt Steele, M.D.  
License No. 18198

  
Elizabeth A. Scott, OBA #12470  
Assistant Attorney General  
State of Oklahoma  
5104 N. Francis, Suite C  
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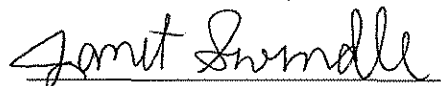
  
Linda G. Scoggins, OBA #8013  
Scoggins & Cross, PLLC  
201 Robert S. Kerr, Suite 710  
Oklahoma City, OK 73102

Attorney for Defendant

  
Gerald C. Zumwalt, M.D.  
Secretary and Medical Advisor  
Oklahoma State Board of  
Medical Licensure and Supervision

**CERTIFICATE OF MAILING**

I certify that on the 18 day of September, 2009, I mailed a true and correct copy of the Order Accepting Voluntary Submittal to Jurisdiction to Linda G. Scoggins, Scoggins & Cross, PLLC, 201 Robert S. Kerr, Suite 710, Oklahoma City, OK 73102.

  
Janet Swindle