

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

FILED

STATE OF OKLAHOMA)
EX REL. THE OKLAHOMA BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)

JUL 22 2011

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff,)

v.)

Case No. 08-10-3593

KARIS ANN BERNHARDT STEELE, M.D.,)
LICENSE NO. 18198)

Defendant.)

FINAL ORDER OF SUSPENSION

This cause came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the "Board") on July 14, 2011, at the office of the Board, 101 N.E. 51st Street, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Elizabeth A. Scott, Assistant Attorney General, appeared for the plaintiff and defendant appeared in person and through counsel, Linda G. Scoggins.

The Board *en banc* after hearing arguments of counsel, reviewing the exhibits admitted and the sworn testimony of witnesses, and being fully advised in the premises, found that there is clear and convincing evidence to support the following Findings of Fact, Conclusions of Law and Orders:

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.

3. For approximately one (1) year prior to September 2008, Defendant abused Oxycontin and Crack Cocaine. After an incident at her office involving cocaine, Defendant went

to The Passages in Malibu, California for treatment for substance abuse. Defendant left treatment after ten (10) days.

4. Defendant returned to Oklahoma and continued to abuse drugs.

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

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

7. 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.

8. On or about February 25, 2009, Defendant left Santé before completing treatment.

9. Defendant returned to Oklahoma and continued to abuse Cocaine. She then returned to Santé on or about April 20, 2009, where she remained in treatment until she was discharged on July 31, 2009.

10. On or about September 17, 2009, the Board entered an Order Accepting Voluntary Submittal to Jurisdiction whereby Defendant was placed on **PROBATION** for a term of **FIVE (5) YEARS**.

11. Defendant is currently licensed under a five (5) year term of probation 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.

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.

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

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.

12. The provisions cited above have not been modified or deleted but remain in full force and effect as terms and conditions of Defendant's licensure under terms of probation.

13. On or around December 21, 2010, Defendant provided a hair sample at the request of the Oklahoma Health Professionals Recovery Program ("HPRP"). The specimen subsequently tested positive for Cocaine. Defendant subsequently admitted that she had relapsed and had been using Crack Cocaine for the past three (3) months.

14. From January 10, 2011 through April 4, 2011, Defendant submitted to treatment for substance abuse at Promises Treatment Center in Malibu, California.

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

A. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public in violation of 59 O.S. §509(8) and OAC 435:10-7-4(11).

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

D. Purchased or prescribed any regulated substance in Schedule I through V, as defined by the Uniform Controlled Dangerous Substances Act, for the physician's personal use in violation of OAC 435:10-7-4(5).

E. Confessed to a crime involving violation of the antinarcotic laws and the laws of this state in violation of 59 O.S. §509(7).

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 is guilty of unprofessional conduct in that she:

A. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public in violation of 59 O.S. §509(8) and OAC 435:10-7-4(11).

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

D. Purchased or prescribed any regulated substance in Schedule I through V, as defined by the Uniform Controlled Dangerous Substances Act, for the physician's personal use in violation of OAC 435:10-7-4(5).

E. Confessed to a crime involving violation of the antinarcotic laws and the laws of this state in violation of 59 O.S. §509(7).

3. The Board further found that the Defendant's license should be suspended based upon any or all of the violations of the unprofessional conduct provisions of 59 O.S. §509(7), (8) and (13), and OAC Title 435:10-7-4(5), (11), (27) and (39).

Order

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

1. The license of Defendant, Karis Ann Bernhardt Steele, M.D., Oklahoma license no. 18198, is hereby **SUSPENDED** as of the date of this hearing, July 14, 2011 for **THREE (3) MONTHS**.

2. At the conclusion of the period of suspension, 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 submit to hair sample testing every two (2) months at the request of the Oklahoma State Board of Medical Licensure and Supervision or its designee, and Defendant will pay for the analysis thereof.

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

I. 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.

J. 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.

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

L. Defendant will abide by the terms and recommendations of Promises Treatment Center and with all terms of her postcare contracts with Promises Treatment Center and the Oklahoma Health Professionals Recovery Program.

M. 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. Defendant shall abide by all requirements of her contract with the HPRP.

N. Defendant will attend a minimum of four (4) 12-Step meetings per week in addition to her weekly HPRP meeting.

O. 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. Defendant's primary care physician shall be Peggy

DuBois, M.D. or another physician approved in advance in writing by the Board Secretary.

P. Defendant shall obtain a sponsor.

Q. Defendant shall obtain psychiatric treatment with Paul Pierce, M.D. or another psychiatrist not previously disciplined by the Board and approved in advance in writing by the Board Secretary. Defendant shall submit quarterly reports of her treatment from her psychiatrist to the Board Secretary or his designee for his review.

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

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

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

U. 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 fifty dollar (\$150.00) per month fee during the term of probation.

V. 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.

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

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


Y. 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.

6. Defendant's suspended license shall not be reinstated unless Defendant has reimbursed the Board for all taxed costs and expenses incurred by the State of Oklahoma.

7. 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.

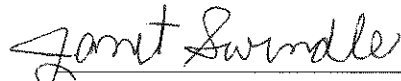
Dated this 22 day of July, 2011.



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

CERTIFICATE OF SERVICE

I certify that on the 22 day of July, 2011, I mailed, via first class mail, postage prepaid, a true and correct copy of this Order to Linda G. Scoggins, Scoggins & Cross, PLLC, 204 N. Robinson, Suite 3100, Oklahoma City, OK 73102 and to Karis Ann Bernhardt Steele, 2801 Parklawn Drive, #101, Midwest City, OK 73110.



Janet Swindle