

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

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

Plaintiff,)

v.)

LINDA LUCIO, M.D.,)
LICENSE NO. 18290,)

Defendant.)

FILED

JUL 25 2008

**OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION**

Case No. 08-06-3527

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, Linda Lucio, M.D., 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 physicians and surgeons in the State of Oklahoma pursuant to 59 Okla. Stat. §480 *et seq.*
2. Defendant, Linda Lucio, M.D., holds Oklahoma license no. 18290 and practices internal medicine in Oklahoma City, Oklahoma.
3. In or around 1998, Defendant completed approximately six (6) weeks of inpatient treatment for alcohol abuse at Rush.
4. In or around 2000, Defendant relapsed on alcohol. She submitted to an assessment at that time, but denied relapsing to the assessment facility. She has recently admitted that she did in fact relapse at that time.
5. In or around 2005, Defendant relapsed and completed ninety (90) days of inpatient treatment at Pine Grove for alcohol abuse. At Pine Grove, Defendant admitted that she had been using alcohol for approximately one and one-half (1 ½ years) before she again sought treatment. Upon returning from Pine Grove, Defendant executed a monitoring contract with the Oklahoma Health Professionals Recovery Program.

6. In or around June 2007, Defendant tested positive for alcohol on a drug test administered by the Oklahoma Health Professionals Recovery Program. Defendant denied relapsing, but two (2) weeks later admitted that she had ingested alcohol.

7. On or about June 8, 2008, Defendant tested positive for alcohol on a drug test administered by the Oklahoma Health Professionals Recovery Program. Defendant denies relapsing on alcohol.

8. From June 22, 2008 until June 27, 2008, Defendant submitted to an assessment at Palmetto Addiction Recovery Center. The assessment facility concluded that the likelihood that Defendant was lying about her relapse on alcohol was high. The assessment facility concluded that she was not safe to practice medicine until she completed a minimum of eight (8) weeks of residential treatment for chemical dependence.

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

A. Habitually uses habit-forming drugs in violation 59 O.S. 407 §509(4) and OAC 435:10-7-4(3).

B. 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).

C. 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).

D. 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).

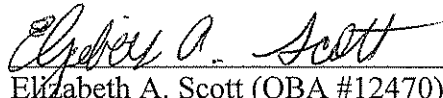
E. Is physically or mentally unable to practice medicine and surgery with reasonable skill and safety in violation of OAC 435:10-7-4(17).

Conclusion

WHEREFORE, the Plaintiff respectfully 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 suspension or revocation and any other appropriate action with respect

to Defendant's medical license, and an assessment of costs and attorney's fees incurred in this action as provided by law.

Respectfully submitted,

A handwritten signature in cursive script that reads "Elizabeth A. Scott". The signature is written in black ink and is positioned above a horizontal line.

Elizabeth A. Scott (OBA #12470)
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State of Oklahoma
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Attorney for the Plaintiff