

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

FILED

JAN 25 2001

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

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

Plaintiff,)

v.)

**MICHELLE MABEL PIERATT, M.D.)
LICENSE NO. 20701)**

Defendant.)

Case No. 00-09-2245

**VOLUNTARY SURRENDER OF LICENSE
IN LIEU OF PROSECUTION**

State of Oklahoma)
)
_____ County)

I, Michelle Mabel Pieratt, M.D., being of lawful age and after first being duly sworn, depose and state as follows:

1. I hereby voluntarily surrender my Oklahoma Medical License No. 20701.

2. The surrender of my license is freely and voluntarily made. I have not been subject to any coercion or duress, and I am fully aware of the consequences of the surrender of my license.

3. I am the subject of a Complaint and Citation filed by the Oklahoma State Board of Medical Licensure and Supervision involving allegations that if proven, would constitute grounds for disciplinary action by the Board.

4. The allegations to which I have plead guilty are as follows:

A. Defendant, Michelle Mabel Pieratt, M.D., holds Oklahoma license no. 20701.

B. On or about November 6, 1989, Defendant was convicted of 14 Counts of Felony Mail Fraud and Aiding and Abetting Mail Fraud in violation of 18 U.S.C. §§1341 and 1342 in Case No. H-88-00308-SS-02 in the United States District Court for the Southern District of Texas. This conviction included Medicare fraud, as well as fraud on the United States of America and the Department of Health and Human Services. As a result of this conviction, Defendant was sentenced to five (5) years of probation, fined \$8,200.00, and ordered to perform 500 hours of community service.

C. On or about May 6, 1996, Defendant applied for a full medical license in the State of Oklahoma. On her application for licensure, Defendant was asked the following question: "Have you ever been charged with or convicted of a felony or misdemeanor?" In response to this question, Defendant answered "No."

D. As a result of this felony conviction, Defendant was excluded from reimbursement from all Medicaid and Medicare health programs.

E. Title 59 O.S. §508 provides as follows:

"Whenever any license has been procured or obtained by fraud or misrepresentation... it shall be the duty of the Board to revoke such license..."

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

1. Was convicted of a felony or of any offense involving moral turpitude in violation of 59 O.S. §509(6) and OAC 435:10-7-4(10).

3. Engaged in fraud or misrepresentation in applying for or procuring a medical license or in connection with applying for or procuring periodic reregistration of a medical license in violation of OAC 435:10-7-4(8).

3. Failed to report to the Board any adverse action taken against her by another licensing jurisdiction (United States or foreign), by any governmental agency, by any law enforcement agency, or by any court for acts or conduct similar to acts or conduct that would constitute grounds for action as defined in this section in violation of OAC435:10-7-4(33).

5. I hereby submit my wallet card and wall certificate as evidence of my intent to surrender my license.

6. As a condition to accepting my surrender of license in lieu of prosecution, I acknowledge that the Board may require me to pay all costs expended by the Board for any legal fees and costs, and any investigation, probation and monitoring fees, including but not limited to staff time, salary and travel expense, witness fees and attorney fees.

DATED this 25 day of January, 2001.

Michelle Mabel Pieratt, M.D.
Michelle Mabel Pieratt, M.D.

Subscribed and sworn before me this 25 day of January, 2001.

Janet Owens
Notary Public

My commission expires on 12-20-2004

ACCEPTED:

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

Tim Smalley, M.D.
Tim Smalley, M.D.
President
Oklahoma State Board of Medical
Licensure and Supervision

Date: 1-25-01

Date: 1/25/01

CERTIFICATE OF MAILING

This is to certify that on this 31 day January, 2001, a true and correct copy of this Voluntary Surrender was mailed, postage prepaid, to Michelle Pieratt, MD 1611 South Utica Ave #131, Tulsa, Okla. 74104 and attorney Larry Derryberry, 4800 N. Lincoln Blvd. Oklahoma City, Ok 73105.

Janet Owens
Janet Owens