

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,

Plaintiff,

v.

DAWN MARIE LAFROMBOISE, M.D.,
LICENSE NO. 23500

Defendant.

MAR 10 2006

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 05-11-3016

FINAL ORDER OF PROBATION

This cause came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the "Board") on March 9, 2006, at the office of the Board, 5104 N. Francis, Suite C, 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 pro se.

The Board *en banc* after hearing arguments of counsel, testimony of witnesses, and reviewing the pleadings filed, 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.*

2. 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.

3. Defendant, Dawn Marie LaFromboise, M.D., holds Oklahoma license no. 23500 and was a third year resident in the Psychiatry Residency Program at the University of Oklahoma College of Medicine in Tulsa, Oklahoma.

4. In or around September 2003, Defendant treated Patient VMT, a psychiatric patient, at St. John's Medical Center in Tulsa, Oklahoma. Defendant subsequently engaged in a sexual relationship for approximately eighteen (18) months with Patient VMT which continued until at least August 31, 2005. During a portion of this time, Defendant and Patient VMT lived together. Defendant admits that she provided Patient VMT with samples of Zoloft and Zyprexa she had taken from the OU Psychiatry Clinic sample cabinet.

5. In or around October, 2003 Defendant treated Patient RTT, a psychiatric patient, at St. John's Medical Center in Tulsa, Oklahoma. Defendant subsequently engaged in a sexual relationship with Patient RTT which lasted several months.

6. On or about September 1, 2005, Defendant met with the Director of the Psychiatry Residency Training Program in Tulsa, Oklahoma and admitted the facts set forth in paragraphs 3 and 4 above.

7. On or about October 31, 2005 and continuing through November 4, 2005, Defendant obtained an assessment at the Professional Renewal Center in Lawrence, Kansas. The assessment team concluded that Defendant should enter a four (4) to six (6) week intensive treatment program that focuses on sexual misconduct in the workplace. Defendant subsequently obtained the treatment recommended by the Professional Renewal Center.

8. On or about December 1, 2005, Defendant was terminated from the Psychiatry Residency Program at the University of Oklahoma College of Medicine in Tulsa, Oklahoma.

9. 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. Engaged in physical conduct with a patient which is sexual in nature, ... in violation of 59 O.S. §509 (17).
- C. Committed an act of sexual ... misconduct or exploitation related or unrelated to the licensee's practice of medicine and surgery in violation of OAC 435:10-7-4 (23).
- D. Abused the physician's position of trust by coercion [or] manipulation ... in the doctor-patient relationship in violation of OAC 435:10-7-4(44).

- E. 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 OAC 435:10-7-4(39).

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. Engaged in physical conduct with a patient which is sexual in nature, ... in violation of 59 O.S. §509 (17).
- C. Committed an act of sexual ... misconduct or exploitation related or unrelated to the licensee's practice of medicine and surgery in violation of OAC 435:10-7-4 (23).
- D. Abused the physician's position of trust by coercion [or] manipulation ... in the doctor-patient relationship in violation of OAC 435:10-7-4(44).
- E. 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 OAC 435:10-7-4(39).

3. The Board further found that the Defendant's license should be placed on probation based upon any or all of the violations of these unprofessional conduct provisions.

Order

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

1. The license of Defendant, Dawn Marie LaFromboise, M.D., Oklahoma license no. 23500, is hereby placed on **PROBATION** beginning March 9, 2006 and continuing 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 shall affiliate with the Oklahoma Health Professionals Recovery Program and abide by her contract with the program.

E. Defendant shall comply with all recommendations of the Professional Renewal Center.

F. Defendant shall obtain a primary care physician for her primary care health needs and routine screenings for modifiable risk factors.

G. Defendant will practice in a controlled environment approved in advance by the Board Secretary.

H. Defendant will obtain a professional mentor, to be approved in advance by the Board Secretary, to discuss work-related issues and to monitor her workload and professionalism.

I. Defendant shall return to the Professional Renewal Center for a minimum of two (2) weeks in mid-August 2006 for a follow-up visit.

J. 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 any physicians holding Defendant's records.

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

L. 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, including but not limited to a \$100.00 per month probation monitoring fee.

M. 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.

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

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

P. 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.

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

R. Defendant will begin psychotherapy with a therapist to be approved in advance by the Board Secretary. Defendant shall submit monthly reports of her treatment from her therapist to the

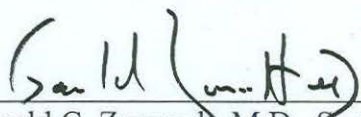
Board Secretary or his designee for his review until she is discharged by said therapist and the Board. Defendant shall authorize in writing the release of any and all records of this treatment to the Board or its designee.

2. During the period of probation, failure to meet any of the terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke 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.

4. A copy of this written order shall be sent to Defendant as soon as it is processed.

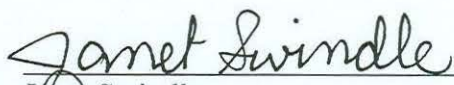
Dated this 10 day of March, 2006.



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

CERTIFICATE OF SERVICE

I certify that on the 10 day of March, 2006, I mailed, via first class mail, postage prepaid, a true and correct copy of this Order of Probation to Dawn Marie LaFromboise, RR 1, Box 250, Belcourt, ND 58316



Janet Swindle