

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

**FILED**

MAR - 7 2024

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA, *ex rel.* )  
OKLAHOMA STATE BOARD )  
OF MEDICAL LICENSURE )  
AND SUPERVISION, )

Plaintiff, )

v. )

Case No. 22-04-6119

ELIZABETH ROMANIK KINZIE, M.D., )  
LICENSE NO. MD 25482, )

Defendant. )

**ORDER ACCEPTING**  
**VOLUNTARY SUBMITTAL TO JURISDICTION**

The State of Oklahoma, *ex rel.* Oklahoma State Board of Medical Licensure and Supervision ("Board"), by and through Alex A. Pedraza, Assistant Attorney General, for the State of Oklahoma ("State") and the staff of the Board, as represented by the Secretary of the Board, Billy H. Stout, M.D., and the Executive Director of the Board, Lyle Kelsey, along with Elizabeth Romanik Kinzie, M.D. ("Defendant"), Medical Doctor license no. 25482, represented by counsel Neel K. Natarajan, (collectively, the "Parties"), appear and offer this Order Accepting Voluntary Submittal to Jurisdiction (herein, "Order" or "Agreement") for acceptance by the Board. Okla. Admin. Code § 435:5-1-5.1.

By voluntarily submitting to jurisdiction and entering into this Order, Defendant acknowledges the allegations contained herein and further acknowledges that a hearing before the Board could result in some sanction under the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act ("Act"). 59 O.S. § 480, *et seq.*

Defendant, Elizabeth Romanik Kinzie, M.D., states that she is of sound mind and is not under the influence of, or impaired by, any medication or drug and that she fully recognizes her right to appear before the Board for an evidentiary hearing on the allegations made against her. Defendant hereby voluntarily waives her right to a full hearing, submits to the jurisdiction of the Board and agrees to abide by the terms and conditions of this Order. Defendant acknowledges that she has read and understands the terms and conditions stated herein, and that this Agreement may be reviewed and discussed with her by legal counsel prior to execution.

If the Board does not accept this Order, the Parties stipulate that it shall be regarded as null and void. Stipulations by Defendant herein, if any, shall not be regarded as evidence against her in a subsequent disciplinary hearing. Defendant will be free to defend herself and no inferences

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will be made from her willingness to have this Order accepted by the Board. The Parties stipulate that neither the presentation of this Order nor the Board's consideration of this Order shall be deemed to have unfairly or illegally prejudiced the Board or its individual members and, therefore, shall not be grounds for precluding the Board nor any individual Board member from further participation in proceedings related to the matters set forth herein.

### Findings of Fact

The Defendant and the Board stipulate the Board has made the following allegations involving unprofessional conduct against Defendant:

1. All paper and electronic medical charting for a total of ten (10) patients were subpoenaed by the Board. Defendant provided the requested documentation to Board investigators in response.
2. The Board investigator provided the subpoenaed charts to an expert for review, four of which were reviewed, and the Board has alleged unprofessional conduct based on the expert review.
3. By agreement of the parties, the Defendant underwent a clinical skills assessment by the Center for Personalized Education for Professionals (CPEP) located in Denver, Colorado, in September 2023. On or about January 5, 2024, Board staff received the written report from CPEP regarding its assessment of the Defendant, which found she was safe to practice independently while remediating educational needs in a setting that incorporates structure, support, oversight and accountability.
4. Defendant acknowledges that a hearing before the Board could result in some sanction under the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act ("Act"). 59 O.S. § 480, *et seq.*, and, without making any admissions, chooses not to contest the allegations in the Complaint.
5. Defendant has denied any wrongdoing and has made no admission of conduct below the standard of care.

### Conclusions of Law

1. The Board has jurisdiction over the subject matter and is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of allopathic physicians and surgeons in the State of Oklahoma. 59 O.S. § 480, *et seq.* and Okla. Admin. Code 435:5-1-1, *et seq.*
2. Notice was provided as required by law and the rules of the Board. 75 O.S. § 309; 59 O.S. § 504; Okla. Admin. Code §§ 435:3-3-5, 435:3-3-6.

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3. The Board is authorized to suspend, revoke or order any other appropriate sanctions or disciplinary action against the license of any allopathic physician or surgeon holding a license to practice medicine in the State of Oklahoma for unprofessional conduct. 59 O.S. §§ 503, 513(A)(1). The Board's action is authorized by 59 O.S. § 509.1.
4. The Board is authorized to accept voluntary submittals to jurisdiction mutually agreed to by parties to a disciplinary action to resolve the action without need for a hearing. 75 O.S. § 309(E); Okla. Admin. Code § 435:5-1-5.1.
5. Defendant is guilty of the following:
  - a. Prescribing or administering a drug or treatment without sufficient examination and the establishment of a valid physician-patient relationship and not prescribing in a safe, medically accepted manner, in violation of 59 O.S. 509(12).
  - b. Failure 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).

#### Orders

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

1. The Board hereby adopts the Agreement of the Parties in this Order Accepting Voluntary Submittal to Jurisdiction, including the findings of fact and conclusions of law stated herein.
2. **ELIZABETH ROMANIK KINZIE, M.D.** shall comply with the following terms and conditions:

#### Specific Terms:

- a. Defendant shall participate in a structured educational program that incorporates external support and a mechanism for accountability.
  - i. Defendant shall establish a relationship with an experienced medical doctor who will serve as an educational Preceptor ("Preceptor") with a similar scope of practice as Dr. Kinzie, focusing on pain management and opioid use disorder. This involves regularly scheduled meetings to review cases and documentation, discuss decisions related to those cases, review specific topics, and make plans for future learning. The Preceptor serves as an educator and is not a practice monitor.
    - (a) This includes but is not limited to a review of ten (10) patient charts per month who are being prescribed CDS.

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- ii. The Preceptor and educational intervention plan shall be approved of in advance by the Board Secretary.
  - iii. Defendant shall ensure that monthly reports from the Preceptor are provided to the Board Secretary and/or Compliance Coordinator.
  - iv. The Defendant shall be responsible for any costs of the Preceptor.
  - v. If the Parties are unable to agree to a Preceptor within ten (10) days from the effective date of this Order, then either party may make application with the Board for the approval of a Preceptor for the purposes stated herein.
- b. The relationship between the Preceptor, including his or her recommendations for the Defendant, shall be reviewed by the Board Secretary six (6) months from receipt of first Preceptor's report for consideration of modifications and/or possible termination to the terms of this Order.
  - c. Defendant shall allow random review of patient charts upon request by the Board Secretary and/or Compliance Coordinator.
  - d. Within six (6) months from the date of this Order, Defendant shall complete a minimum eight (8) hour CME review course in general internal medicine, approved of in advance by the Board Secretary, and which is additional to Defendant's annual CME requirement. Proof of completion shall be provided by Defendant to the Board Secretary within one (1) month of course completion. This course is in addition to Defendant's regularly required CME courses.

Standard Terms:

- e. Defendant shall conduct her practice in compliance with the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act ("Act") as interpreted by the Board.
- f. Defendant shall keep the Board informed of her current address.
- g. Until such time as all indebtedness to the Board has been satisfied, Defendant shall reaffirm said indebtedness in any bankruptcy proceeding.
- h. Upon request, Defendant shall make herself available for one or more personal appearances before the Board or its authorized designee.
- i. If Defendant moves her residence or practice location out of the State of Oklahoma during this Order, this Order will be tolled until such time as Defendant returns to

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the State of Oklahoma and begins practicing within the state. Defendant will notify the Board Secretary and Compliance Coordinator prior to moving out-of-state.

- j. Failure to meet any of the terms of this 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, investigation costs, staff time, salary and travel expenses, witness fees and attorney's fees.
4. A copy of this Order shall be provided to Defendant as soon as it is processed.

Dated this 7<sup>th</sup> day of MARCH, 2024.



Steven Katsis, M.D., President  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION



Billy H. Stout, M.D., Board Secretary  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION



Elizabeth Romanik Kinzie, M.D.  
License No. 25482  
*Defendant*



Alex A. Pedraza, OBA No. 33584  
Assistant Attorney General  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION  
313 N.E. 21<sup>st</sup> Street  
Oklahoma City, OK 73105  
*Counsel for Plaintiff*



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Telephone: (405) 235-3800  
Facsimile: (405) 235-5800  
*Counsel for Defendant*

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**CERTIFICATE OF SERVICE**

This is to certify that on the 11<sup>th</sup> day of March 2024, a true and correct copy of this Order was transmitted as indicated, postage prepaid, to the following:

**US Certified Mail**

Elizabeth Romanik Kinzie, M.D.  
310 Flynn St.  
Alva, Oklahoma 73717  
**Defendant**

**US Certified Mail**

Neel K. Natarajan, OBA No. 21762  
Walters Stanley & Natarajan. LLP  
1017 NW 6<sup>th</sup> Street  
Oklahoma City, Oklahoma 73106  
**Attorney for Defendant**

**Email:**

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Alex.pedraza@oag.ok.gov  
**Attorney for Plaintiff**

  
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Shelley Crowder