



gave an explanation for the tax issues and said she would like to apply for reinstatement after the OTC issue was taken care of.

The following day, the Director of the Pulmonary Care Department at Ascension St. John Medical Center called Investigator Roberts. When asked if Defendant had treated any patients since her license expired, the Director said that Defendant had not treated patients on a regular basis, but she had filled in on occasion. Investigator Roberts provided a subpoena requesting a list of names of patients treated by Defendant while her license was expired. The Director provided a list of 49 patients treated by Defendant while her license was expired.

## II. VIOLATIONS

1. Based on the foregoing, the Defendant is guilty of professional misconduct as follows:
  - a. Is guilty of dishonest or unethical conduct in violation of 59 O.S. § 2040(5),
  - b. Has practiced respiratory care after the license has expired or has been suspended in violation of 59 O.S. § 2040(6),
  - c. Has been guilty of unprofessional conduct as defined by the rules established by the Board, or of violating the code of ethics adopted and published by the Board; in violation of 59 O.S. § 2040(9),
  - d. Failing to timely make application for license renewal in violation of Okla. Admin. Code § 435:45-5-3(14),
  - e. 59 O.S. 2044 Misdemeanor Violations – Penalties
    - A. It is a misdemeanor for any person to:
      - (5) Practice respiratory care during the time a license is suspended, revoked or expired.

## III. CONCLUSION

Given the foregoing, the undersigned requests 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 the

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



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**VERIFICATION**

I, Robbin Roberts, under penalty of perjury, under the laws of the State of Oklahoma, state as follows:

1. I have read the above Complaint regarding the Defendant, Megan Dutch Kelley, R.C.; and
2. The factual statements contained therein are true and correct to the best of my knowledge and belief.



Robbin Roberts, Investigator  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION

Date: 6-30-22