

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

STATE OF OKLAHOMA, *ex rel.*)
OKLAHOMA STATE BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)
)
Plaintiff,)
)
v.)
)
CHRISTIANA LIETZKE, M.D.,)
LICENSE NO. MD 30304,)
)
Defendant.)

FILED

MAY 16 2017

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 16-04-5304

**OMNIBUS VERIFIED COMPLAINT AND
MOTION TO COMPEL ASSESSMENT**

The State of Oklahoma, *ex rel.* Oklahoma State Board of Medical Licensure and Supervision (“Board”) alleges and states as follows for its Complaint against the Defendant, Christina Lietzke, M.D.:

I. JURISDICTION

1. This 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 physicians and surgeons in the State of Oklahoma. 59 O.S. 2011, § 480, *et seq.* and Okla. Admin. Code 435:5-1-1 *et seq.*
2. Dr. Lietzke holds Oklahoma medical license no. 30304, which was issued on November 1, 2013.

II. ALLEGATIONS OF UNPROFESSIONAL CONDUCT

3. This action arises out of a National Practitioner Data Bank (“NPDB”) report regarding Dr. Lietzke. Numerous states have disciplined Dr. Lietzke for symptoms of a mental illness indicating that she may be unsafe to practice. A follow-up investigation also revealed Dr. Lietzke misrepresented an arrest in Tennessee on her Application for Renewal of Oklahoma License.

Arrest in Tennessee

4. According to the arresting Trooper’s affidavit of April 5, 2014 Dr. Lietzke:
 - (a) traveled 76 MPH in a 45 MPH zone and refused to stop the vehicle;

- (b) accelerated and refused to stop with lights and sirens activated while traveling at a high rate of speed; and
- (c) tried to make it inside of her residence before she was arrested.

On May 28, 2014, Dr. Lietzke pleaded guilty to evading arrest, was fined \$500, lost her driver's license for one year, served two days in jail, and received a suspended sentence of 11 months and 29 days.

Discipline in South Dakota

- 5. Pursuant to the NPDB Report, the South Dakota Board ordered Dr. Lietzke to "complete a fitness to practice evaluation." After granting a six month continuance, in September 2016 the South Dakota Board denied Dr. Lietzke's application for medical licensure for failing to obtain and submit a fitness to practice evaluation.

Discipline in North Carolina

- 6. The North Carolina Board ordered Dr. Lietzke to be evaluated by the North Carolina Physicians Health Program ("NCPHP"). The NCPHP noted Dr. Lietzke "interacted with [NC]PHP staff in an unusual manner and provided documents and records suggesting she had an active mental health issue." The NCPHP diagnosed her with bipolar disorder, and further noted that Dr. Lietzke "believes she has bipolar disorder but does not wish to take medications."
- 7. In its Findings and Recommendations, the NCPHP found Dr. Lietzke "did not appear safe to practice at this time due to active symptoms of mental illness." The NCPHP recommended Dr. Lietzke obtain a comprehensive assessment at the Vanderbilt Comprehensive Assessment Program ("VCAP"). Dr. Lietzke failed to complete some testing and walked out of her last appointment with the VCAP Medical Director. The VCAP team found and concluded Dr. Lietzke was "unfit to practice medicine at this time."
- 8. VCAP observed Dr. Lietzke as "having presented symptoms consistent with bipolar disorder, manic phase," and noted that Dr. Lietzke refuses treatment with medications, and is "unlikely to engage in or benefit from psychotherapy."
- 9. The North Carolina Board suspended Dr. Lietzke's medical license on December 8, 2015, indefinitely.

Discipline Imposed by Other States

- 10. The Alabama, California, and Utah Boards revoked Dr. Lietzke's medical licenses due to actions taken by other states.
- 11. The Rhode Island Board and the Arizona Boards ordered Dr. Lietzke to surrender her license.

12. The Montana Board placed Dr. Lietzke on indefinite suspension with re-instatement possible only through successful completion, advocacy and aftercare contracts with the Montana Professional Assistance Program.
13. The Washington Commission placed Dr. Lietzke on indefinite suspension as a result of action taken by other Boards/Agencies.
14. The Michigan Board placed Dr. Lietzke on probation for one year and ordered mental health and chemical dependency substance abuse evaluations.
15. The Maryland Board placed Dr. Lietzke on probation until the Michigan Board deems it appropriate to terminate her suspension.
16. The New Mexico Board placed Dr. Lietzke on suspension and ordered her to complete a neuropsychological evaluation.

Misrepresentation in Oklahoma

17. On September 28, 2014, Dr. Lietzke answered “no” to all questions on her Application for Renewal of Oklahoma License, including “have you ever been arrested for, charged with, or convicted of a felony or misdemeanor other than a traffic violation?” Dr. Lietzke misrepresented her Evading Arrest charge by stating, “I have had several speeding tickets in Tennessee and was not able to drive for one year.”

III. VIOLATIONS

18. Based on the foregoing, Dr. Lietzke is guilty of unprofessional conduct as follows:
 - a. Receiving disciplinary action from another state or jurisdiction, in violation of Okla. Admin. Code § 435:10-7-4(31);
 - b. Making a misrepresentation in applying for or procuring a medical license or in connection with applying for or procuring periodic re-registration of a medical license, in violation of Okla. Admin. Code § 435:10-7-4(8);
 - c. Practice or other behavior that demonstrates an incapacity or incompetence to practice medicine and surgery, in violation of Okla. Admin. Code § 435:10-7-4(18);
 - d. The inability to practice medicine with reasonable skill and safety to patients by reason of illness or as a result of any mental or physical condition. In enforcing this subsection the Board may, upon probable cause, request a physician to submit to a mental or physical examination by physicians designated by it. 59 O.S. 2011, § 509(15); and
 - e. The inability to practice medicine and surgery 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 physical

condition. To enforce this paragraph, the Board may, upon probable cause, request a physician to submit to a mental or physical examination by physicians designated by it, in violation of Okla. Admin. Code § 435:10-7-4(40).

IV. MOTION TO COMPEL LICENSEE

Pursuant to 59 O.S. 2011, § 509(15) and Okla. Admin. Code § 435:10-7-4(40), the State requests this Board enter an order requiring Dr. Lietzke submit to a mental health assessment approved of in advance by the Board Secretary for the following reasons:

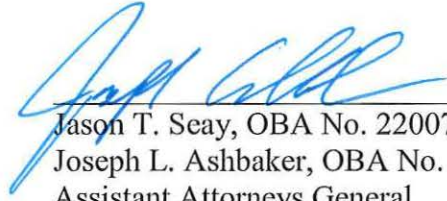
1. Given her prior conduct, Dr. Lietzke appears to suffer from a medical condition, which when left untreated, may render her unable to practice medicine with reasonable skill and safety to patients. At present, and upon information and belief, Dr. Lietzke is not receiving treatment for her medical condition.
2. Medical professionals have opined that Dr. Lietzke is currently not fit to practice medicine.
3. The NCPHP noted Dr. Lietzke “interacted with NCPHP staff in an unusual manner and provided documents and records suggesting she had an active mental health issue.” The NCPHP diagnosed her with bipolar disorder, and further noted that Dr. Lietzke “believes she has bipolar disorder but does not wish to take medications.” The NCPHP found Dr. Lietzke “did not appear safe to practice at this time due to active symptoms of mental illness.”
4. The NCPHP recommended Dr. Lietzke obtain a comprehensive assessment at the VCAP. Dr. Lietzke failed to complete some testing and walked out of her last appointment with the VCAP Medical Director. The VCAP team concluded Dr. Lietzke was “unfit to practice medicine at this time.”
5. VCAP observed Dr. Lietzke as “having presented symptoms consistent with bipolar disorder, manic phase,” and noted that Dr. Lietzke refuses treatment with medications, and is “unlikely to engage in or benefit from psychotherapy.”

This Board may, upon probable cause, request a physician submit to a mental examination. Here, there is sufficient information calling into question Dr. Lietzke’s ability to practice medicine with reasonable skill and safety. This Board should exercise its authority to protect the health, safety, and welfare of Oklahoma patients and order Dr. Lietzke to undergo an evaluation to determine her fitness to practice medicine.

V. CONCLUSION

Given the foregoing, the undersigned respectfully 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 Dr. Lietzke’s professional license, including an assessment of costs and attorney’s fees incurred in this action as provided by law.

Respectfully submitted,




Jason T. Seay, OBA No. 22007
Joseph L. Ashbaker, OBA No. 19395
Assistant Attorneys General
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION
101 N.E. 51st Street
Oklahoma City, Oklahoma 73105
405/962.1400

VERIFICATION

I, Jana Lane, under penalty of perjury, under the laws of the State of Oklahoma, state as follows:

1. I have read the above Complaint regarding Christiana Lietzke, M.D.; and
2. The factual statements contained therein are true and correct to the best of my knowledge and belief.



Jana Lane, Investigator
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION

Date: 05-16-2017

Oklahoma Co., OK
County, State of Execution