

**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
 DEC 22 2017
 OKLAHOMA STATE BOARD OF
 MEDICAL LICENSURE & SUPERVISION

Case No. 16-04-5304

**ORDER GRANTING MOTION FOR DEFAULT JUDGMENT
AND REVOCATION OF MEDICAL LICENSE**

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (“Board”) on November 2, 2017, at the office of the Board, 101 N.E. 51st Street, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Joseph L. Ashbaker, Assistant Attorney General appeared on behalf of Plaintiff. Christiana Lietzke, M.D. (“Defendant”), appeared not.

The Board, having considered representations of counsel and being fully apprised of the premises, makes the following findings of fact, conclusions of law and orders:

Findings of Fact

1. Defendant holds Oklahoma medical license MD 30304, issued November 1, 2013. Defendant also holds licenses in Alabama, Florida, Idaho, Indiana, Maryland, Michigan, Montana, North Carolina, New Mexico, Nevada, Tennessee, and Utah.
2. An Omnibus Verified Complaint and Motion to Compel Assessment, and a Citation were filed May 16, 2017 (“Complaint”). A hearing was set for January 11, 2018.
3. Plaintiff’s Motion for Default Judgment was filed on August 18, 2017 (“Motion for Default”), hearing was set for November 2, 2017. Defendant was served with the Motion for Default and a Letter Notice of the hearing on October 16, 2017 by USPS certified mail.
4. At the November 2, 2017 Board meeting, Mr. Ashbaker stated that although Defendant’s father, Mr. Albert Lietzke, has Power of Attorney, he is unable to legally execute a

surrender of Defendant's license. Consequently, a default judgment and revocation is recommended.

Conclusions of Law

5. 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. § 480 *et seq.* and Okla. Admin. Code §§ 435:5-1-1 *et seq.*
6. Notice was given as required by law and the rules of the Board. 75 O.S. § 309(A); 59 O.S. § 504; Okla. Admin. Code §§ 435:3-3-5, 3-3-6.
7. The Board is authorized to suspend, revoke or order any other appropriate sanctions against the license of any physician or surgeon holding a license to practice medicine in the State of Oklahoma for unprofessional conduct. This authority is *quasi-judicial* 59 O.S. § 513(A)(1). 59 O.S. § 503. The Board's action is authorized by 59 O.S. § 509(15); Okla. Admin. Code § 435:10-7-4(8), (18), (31), (40). Response required within 20 days after service, 59 O.S. 2014, § 503 and Okla. Admin Code § 435:3-3-8(a) *et seq.* Motion for of default is authorized under 75 O.S. § 309(E) and Okla. Admin. Code §§ 435:3-3-8, § 435:3-3-14.
8. The Board found, based on the evidence presented, that the Motion for Default Judgment should be granted and Defendant's license revoked.

Orders

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

1. Plaintiff's Motion for Default Judgment, filed August 18, 2017, against **CHRISTIANA LIETZKE, M.D.** is **GRANTED**.
2. The Oklahoma medical license of **CHRISTIANA LIETZKE, M.D.**, license no. MD 30304 is **REVOKED**, effective from date of an approved Attorney General Opinion.
3. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and costs, investigation costs, staff time, salary and travel expenses, witness fees and attorney's fees.
4. A copy of this written order shall be sent to Defendant as soon as it is processed.

This Order is subject to review and approval by the Oklahoma Attorney General, and this Order shall become final upon completion of the review by the Oklahoma Attorney General unless disapproved, in which case this Order shall be null and void.

Dated this 22nd day of December, 2017.



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

Certificate of Service

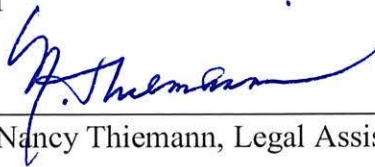
This is to certify that on the 27th day of December 2017, a true and correct copy of this Order was transmitted as indicated, postage prepaid, to the following:

U.S. Certified Mail

David A. Lietzke
POA for Christiana Lietzke
1157 Spoon Hollow Rd.
Rutledge, Tennessee 37861

U.S. Certified Mail

Ms. Christiana Lietzke, M.D.
1265 Lakemoore Drive
Jefferson City, Tennessee 37760-5331



Nancy Thiemann, Legal Assistant



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2017-894A

Billy H. Stout, M.D., Board Secretary
State Board of Medical Licensure and Supervision
101 NE 51st Street
Oklahoma City, OK 73105

December 19, 2017

Dear Dr. Billy H. Stout, M.D., Board Secretary:

This office has received your request for a written Attorney General Opinion regarding action that the State Board of Medical Licensure and Supervision intends to take with in case 16-04-5304. The licensee's father currently has power of attorney over the licensee. The licensee misrepresented a previous out-of-state arrest on a renewal application and has been subject to disciplinary action in several other jurisdictions based on unprofessional conduct. The licensee's agent was served with the Complaint and Motion for Default. The agent responded with a voluntary surrender of license, but could not admit the allegations against licensee. The Board proposes to grant the Motion for Default against the licensee and revoke the medical doctor license.

The Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act authorizes the Board to "suspend, revoke or order any other appropriate sanctions against the license of any physician . . . for unprofessional conduct." 59 O.S.Supp.2017, § 503. Unprofessional conduct includes "[f]raud or misrepresentation in applying for or procuring a medical license or in connection with applying for or procuring periodic reregistration of a medical license," "[p]ractice or other behavior that demonstrates an incapacity or incompetence to practice medicine and surgery," "[d]isciplinary action of another state or jurisdiction against a license." OAC 435:10-7-4(8), (18), (31). The Board may reasonably believe that default judgment and revocation of the license are necessary to deter future violations.

It is, therefore, the official opinion of the Attorney General that the State Board of Medical Licensure and Supervision has adequate support for the conclusion that this action advances the State's policy of protecting the health, safety, and well-being of the citizens of Oklahoma.

Handwritten signature of Mike Hunter in black ink.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

Handwritten signature of Amanda Otis in black ink.

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL

RECEIVED

DEC 21 2017
OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE
AND SUPERVISION