

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

FILED

NOV 03 2011

IN THE MATTER OF THE)
APPLICATION OF)

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

PEGGY DIANE SATTERLY, R.C.,)

FOR REINSTATEMENT OF OKLAHOMA)
RESPIRATORY CARE LICENSE NO. 341)

Case No. 08-03-3479

**ORDER GRANTING REINSTATEMENT OF
LICENSE UNDER TERMS OF PROBATION**

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision on November 3, 2011, at the Board office, 101 N.E. 51st Street, Oklahoma City, Oklahoma 73105, pursuant to notice given as required by law and rules of the Board.

Defendant, Peggy Diane Satterly, R.C., appeared in person and pro se.

Elizabeth A. Scott, Assistant Attorney General, appeared on behalf of the State of Oklahoma, ex rel. the Oklahoma State Board of Medical Licensure and Supervision.

The Board *en banc* heard testimony, reviewed the exhibits presented, and being fully apprised of the premises, entered the following Findings of Fact, Conclusions of Law, and Orders:

Findings of Fact

1. The Board *en banc* has jurisdiction over the subject matter herein, and notice has been given in all respects as required by law and the rules of the Board.

2. On May 15, 2008, after hearing before the Board *en banc*, the Board entered an Order Accepting Voluntary Surrender of License in Lieu of Prosecution whereby Defendant surrendered her license in lieu of prosecution based upon unprofessional conduct in violation of 59 O.S. §2040(1), (2), (5), (7) and (9) and OAC Title 435:45-5-3(2), (3), (7), (8), (11), (21) and (24).

3. On or about March 10, 2011, Defendant appeared before the Board seeking reinstatement of her license, which request was denied by the Board.

4. On or about October 13, 2011, Defendant appeared before the Respiratory Care Advisory Committee seeking Committee recommendation for the reinstatement of her license. After reviewing the report of her psychiatrist and her counselor, as well as considering the testimony of Defendant, the Committee recommended reinstatement under terms of probation.

5. Defendant is now seeking reinstatement of her Oklahoma respiratory care license no. RC2215.

CONCLUSIONS OF LAW

1. The Board has jurisdiction to reinstate the license of a respiratory care practitioner pursuant to 59 O.S. §§480 et seq. and 2026 et seq.

2. The Board may impose practice parameters and other restrictions as necessary to protect the health, safety and welfare of the public under 59 O.S. §2026 et seq.

ORDER

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

1. Defendant's respiratory care practitioner license shall be reinstated under the following terms and conditions of **PROBATION**, which shall continue for a period of **FIVE (5) YEARS** from the date of reinstatement under the following terms and conditions:

A. Defendant will conduct her practice in compliance with the Oklahoma Respiratory Care Practice 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. 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.

C. 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.

D. Defendant shall practice under direct supervision for three (3) months. Each month shall include at least twenty-two (22) days of working to be considered a full month of direct supervision. Defendant shall submit quarterly reports from her supervisor to the Board Secretary or his designee for its review. Defendant's supervisor shall appear before the Committee with Defendant after Defendant has worked six (6) months to report on her progress and compliance with probationary terms.

E. Defendant shall submit quarterly reports from her employer to the Board Secretary or his designee for his review.

F. Defendant will enter and continue counseling for her PTSD issues as well as honesty issues with a counselor approved in advance by the Board Secretary and will authorize in writing the release of any and all records of that treatment to the Board or its designee. Frequency of counseling shall be determined by the counselor. Defendant shall submit quarterly reports from her counselor to the Board Secretary for his review.

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

H. Defendant will keep current payment of all assessment by the Board for prosecution, investigation and monitoring of her case, including but not limited to a one-hundred fifty dollar (\$150.00) per month monitoring fee.

I. 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.

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


K. Defendant shall submit any required reports and forms on an accurate, timely and prompt basis to the Compliance Coordinator or designee.

2. During the period of probation, failure to meet any of the terms of probation will constitute cause for the Executive Director of the Board to immediately suspend Defendant's license pursuant to 59 O.S.§506(B).

3. Defendant's surrendered license will be reinstated only upon payment in full of all costs and expenses incurred by the State of Oklahoma.

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

Dated this 3 day of November, 2011.


J. Andy Sullivan, M.D., President
Oklahoma State Board of Medical
Licensure and Supervision

Certificate of Service

On the 4 day of November, 2011, a true and correct copy of this order was mailed, postage prepaid, to Peggy Diane Satterly, 16203 S. Rock Creek Rd., Shawnee, OK 74801.


Janet Swindle