

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

FILED

JUL 20 2023

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA, *ex rel.*)
OKLAHOMA STATE BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)
)
Plaintiff,)
)
v.)
)
JULIA ELIZABETH VALLEY, RC,)
LICENSE NO. RC 3845,)
)
Defendant.)

Case No. 23-06-6237


**ORDER ACCEPTING
VOLUNTARY SUBMITTAL TO JURISDICTION**

The State of Oklahoma, *ex rel.* Oklahoma State Board of Medical Licensure and Supervision (“Board”), by and through the undersigned counsel for the Plaintiff, as represented by the Secretary of the Board, Billy H. Stout, M.D., and the Executive Director of the Board, Lyle Kelsey, along with Julia Elizabeth Valley, R.C. (“Defendant”), Oklahoma Respiratory Care Practitioner License No. 3845, who appears in person, (collectively, the “Parties”), hereby 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 admits to the allegations herein contained 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, Julia Elizabeth Valley, R.C., 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. Admissions by Defendant herein, if any, shall not be regarded as evidence against her


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in a subsequent disciplinary hearing. Defendant will be free to defend herself and no inferences 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 Plaintiff, Defendant, and the Board staff each stipulate and agree as follows:

1. In Oklahoma, Defendant holds Respiratory Care Practitioner license no. 3845, originally issued November 8, 2012.
2. Defendant's license to practice physical therapy expired November 11, 2022.
3. Defendant continued to practice respiratory care in the course of her employment following the November 11, 2022, expiration of her license, through at least early April of 2023.
4. Defendant applied for reinstatement of her license with the Board on April 14, 2023.
5. The foregoing act(s) and/or omission(s) constitute unprofessional conduct as defined under the Respiratory Care Practice Act and corresponding regulations, as detailed herein.

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 Respiratory Care Practitioners in the State of Oklahoma. 59 O.S. § 2026 *et seq.* and Okla. Admin. Code §§ 435:45-1-1 *et seq.* The Board has specific authority to oversee and discipline in this matter pursuant to 59 O.S. 2040 and Okla. Admin. Code § 435:45-5-3.
2. Notice was provided as required by law and the rules of the Board. 75 O.S. § 309; 59 O.S. § 2041(A); Okla. Admin. Code §§ 435:3-3-5, 435:3-3-6.
3. The Board is authorized to suspend, revoke or order any other appropriate conditions against the license of any Respiratory Care Practitioner holding a license to practice in the State of Oklahoma for unprofessional conduct. 59 O.S. §2040. and Okla. Admin. Code 435:45-5-3.
9. 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.
10. Based on the foregoing, Defendant is guilty of unprofessional conduct as follows:



- a. Practicing respiratory care after the license has expired or has been suspended, in violation of 59 O.S. § 2040(6);
- b. Engaging in 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), to wit:
 - i. Failing to timely make application for license renewal, in violation of Okla. Admin. Code § 435:45-5-3(14);
 - ii. Violating any provision of the Respiratory Care Practice Act or rules promulgated by the Board, specifically the provisions of law cited above, in violation of Okla. Admin. Code § 435:45-5-3(21).

ORDERS

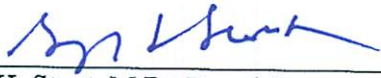
IT IS THEREFORE ORDERED by the Oklahoma State Board of Medical Licensure and Supervision as follows:


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. **JULIA ELIZABETH VALLEY, R.C.**, Oklahoma Respiratory Care Practitioner License No. 3845 is hereby formally **REPRIMANDED**.
3. **JULIA ELIZABETH VALLEY, R.C.**, shall pay a fine of \$500.00 within 120 days of this Order being entered.
4. **JULIA ELIZABETH VALLEY, R.C.**, is approved for reinstatement upon completion of all licensing requirements.
5. 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.
6. A copy of this Order shall be provided to Defendant as soon as it is processed.

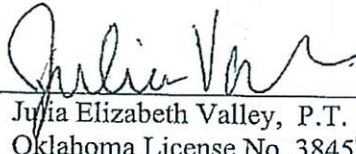
Dated this 20th day of July, 2023.

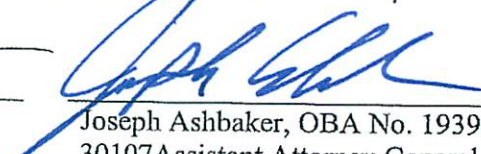

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Billy H. Stout, M.D., Board Secretary
OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE AND SUPERVISION


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



Julia Elizabeth Valley, P.T.
Oklahoma License No. 3845
Defendant Pro Se


Joseph Ashbaker, OBA No. 19395
30107 Assistant Attorney General
STATE OF OKLAHOMA,
OFFICE OF ATTORNEY GENERAL
Attorney for Plaintiff,

ACKNOWLEDGMENT

STATE OF OKLAHOMA)
) ss.
COUNTY OF OKLAHOMA)

This instrument was acknowledged before me on the 12 day of July
2023, by Julia Elizabeth Valley.

Notary Public 
Commission Expiration: 1-24-27



Certificate of Service

This is to certify that on the 20th day of July, 2023, a true and correct copy of this Order was transmitted as indicated, postage prepaid, to the following:

U.S. Certified Mail
Julia Elizabeth Valley, R.C.
18280 SE 21st Street
Choctaw, Oklahoma 73020
Defendant

E-Mail
Joseph Ashbaker, AAG
State of Oklahoma
Office of Attorney General
313 N.E. 21st Street
Oklahoma City, Oklahoma 73105
(405) 522-0113
(405) 521-6246 facsimile
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Attorney for Plaintiff,
*Oklahoma State Board of Medical
Licensure and Supervision*




Shelley Crowder