

**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. )  
 )  
 RHIANNON K. ALIG, R.C.P., )  
 LICENSE NO. RC 4190, )  
 )  
 Defendant. )

FILED

JUN 18 2018

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Case No. 18-01-5573

**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, and Rhiannon K. Alig, R.C.P. (“Defendant”), Oklahoma respiratory care practitioner license no. 4190, who appears in person and through counsel Lance Schreiner of Schulte, Schreiner, and Gibson, PLLC (collectively, the “Parties”), and 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 Respiratory Care Practice Act. 59 O.S. § 2026, *et seq.*

Defendant, Rhiannon K. Alig, 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 has been reviewed and discussed with her by legal counsel.

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 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

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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 Board staff stipulates and agree as follows:

1. In Oklahoma, Defendant holds respiratory care practitioner license no. 4190, issued December 23, 2014.
2. This action arises out of an anonymous complaint alleging that Defendant practiced respiratory therapy without a license from December 2016 through April 2017.
3. A check of licensing records shows that Defendant let her license lapse between December 31, 2016 and April 13, 2017.
4. In an interview with Board Investigator Lawrence 'Larry' Carter, Defendant confirmed that she did continue to work at Mercy Hospital throughout the time her license had lapsed.

### CONCLUSIONS OF LAW

5. 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.*, 59 O.S. § 2031 *et seq.*, 59 O.S. 2041 *et seq.*, Okla. Admin. Code §§ 435:1-1-1 *et seq.*, 435:5-1-1 *et seq.*, 435:45-1-1 *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, 435:3-3-6.
7. The Board shall cause the prosecution of all persons violating the Respiratory Care Practice Act and incur necessary expenses therefor; conduct hearings upon charges calling for discipline of a licensee, or denial, revocation or suspension of a license. 59 O.S. §§ 2030(3), (5). The Board's action is authorized by 59 O.S. § 2040(6), (10); Okla. Admin. Code § 435:45-1-4(b)(3), (5).
8. 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.

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9. Based on the foregoing, the Parties stipulate and agree that Defendant is guilty of unprofessional conduct as follows:
- a. No person shall practice respiratory care or represent themselves to be a respiratory care practitioner unless licensed under the Respiratory Care Practice Act, except as otherwise provided by the Respiratory Care Practice Act, in violation of 59 O.S. § 2042(A);
  - b. It is a misdemeanor for any person to: Practice respiratory care during the time a license is suspended, revoked or expired, in violation of 59 O.S. § 2044(A)(5);
  - c. Failing to timely make application for license renewal, in violation of Okla. Admin. Code § 435:45-5-3(a)(14);
  - d. Violating any provision of the Respiratory Care Practice Act or the rules promulgated by the Board, in violation of 59 O.S. § 2044(A)(9); Okla. Admin. Code § 435:45-5-3(a)(21);
  - e. Violation of any provision(s) of the medical practice act or the rules and regulations of the Board or of any action, stipulation or agreement or order of the Board, in violation of Okla. Admin. Code § 435:45-5-3(a)(24).

#### ORDERS

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

1. Effective from the date of an approved Attorney General Opinion, the Board adopts the Agreement of the Parties in this Voluntary Submittal to Jurisdiction, including the findings of fact and conclusions of law stated herein.
2. **RHIANNON K. ALIG, R.C.**, Oklahoma Respiratory Care Practitioner license no 4190, is **FORMALLY REPRIMANDED**.
3. **RHIANNON K. ALIG, R.C.** is **FINED** one thousand five hundred (\$1,500) dollars, due within thirty (30) days of the effective date of an approved Attorney General Opinion.

#### Standard Terms:

- a. Defendant will conduct her practice in compliance with the Respiratory Care Practice Act ("RCP Act") as interpreted by the Board. Any question of interpretation regarding the RCP Act or this Order 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 Board or its designee. 59 O.S. § 2026, *et seq.*

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- b. Defendant will furnish a file-stamped copy of this Order to each and every state in which she holds licensure or applies for licensure and to all hospitals, clinics or other facilities in which she holds or anticipates holding any form of staff privileges or employment.
  - c. Defendant will keep the Board informed of her current address.
  - d. Until such time as all indebtedness to the Board has been satisfied, Defendant will reaffirm said indebtedness in any and all bankruptcy proceedings.
  - e. Defendant shall promptly notify the Board Secretary or Compliance Coordinator of any citation or arrest for traffic or for criminal offenses.
  - f. Defendant shall make herself available for one or more personal appearances before the Board or its authorized designee upon request.
  - g. Failure to meet any of the terms of this Order will constitute cause for the Board to initiate additional proceedings to suspend, revoke or modify Defendant's license after due notice and hearing. Immediately upon learning that a licensee is in violation of this Order, the Executive Director of the Board may summarily suspend the license based on imminent harm to the public and assign a hearing date for the matter to be presented at the next scheduled Board meeting.
4. 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.
5. A copy of this Order shall be provided 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.**

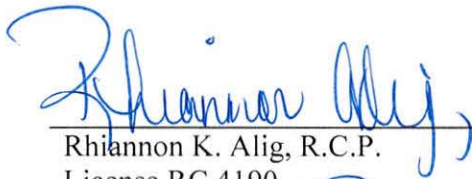
Dated this 10<sup>th</sup> day of MAY, 2018.




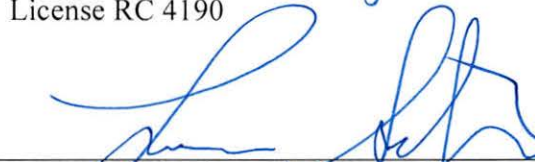
Henry P. Ross, M.D., President  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION

BOARD 

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Rhiannon K. Alig, R.C.P.  
License RC 4190

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



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**Attorney for Defendant,  
Rhiannon K. Alig, R.C.P.**



Joseph L. Ashbaker, OBA No. 19395  
Assistant Attorney General  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION  
101 N.E. 51<sup>st</sup> Street  
Oklahoma City, Oklahoma 73105  
(405) 962-1400  
(405) 962-1499 Facsimile  
jashbaker@okmedicalboard.org  
**Attorney for Plaintiff**

**Certificate of Service**

This is to certify that on the 18<sup>th</sup> day of June, 2018, a true and correct copy of this Order was transmitted as indicated, postage prepaid, to the following:

U.S. Certified Mail

Rhiannon K. Alig, R.C.P.  
P.O. Box 474  
Okarche, Oklahoma 73762  
**Defendant**

U.S. First Class Mail

Lance E. Schneiter  
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302 N. Main Street  
Kingfisher, Oklahoma 73750  
(405) 375-4165  
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**Attorney for Defendant,  
Rhiannon K. Alig, R.C.P.**



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Nancy Thiemann, Legal Assistant

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Order Accepting Voluntary Submittal to Jurisdiction; 18-01-5573  
Rhiannon K. Alig, RC 4190



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2018-191A

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

June 12, 2018

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 pursuant to a consent agreement with respect to respiratory care practitioner licensee RC 4190 in case 18-01-5573. The licensee practiced with an inactive license from December 2016 through April 2017. The Board proposes to formally reprimand the licensee, fine the licensee \$1,500, and impose standard terms and conditions.

The Respiratory Care Practice Act authorizes the board to “revoke, suspend or refuse to renew any license or place on probation, or otherwise reprimand a licensee . . . if it finds that the person . . . [h]as practiced respiratory care after the license has expired or has been suspended.” 59 O.S.2011, § 2040(6). The Board may reasonably believe that the proposed action is 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.

A handwritten signature in black ink, appearing to read "Mike Hunter".

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Ryan Chaffin".

RYAN CHAFFIN  
DEPUTY CHIEF - ASSISTANT ATTORNEY GENERAL

RECEIVED

JUN 15 2018  
OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE  
AND SUPERVISION