

**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, )  
 )  
vs. )  
 )  
CHELSEA RACHEL MOULDER, R.C., )  
LICENSE NO. RC 4971, )  
 )  
Defendant. )

**FILED**

DEC 22 2021

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Case No. 21-09-6042

**VERIFIED COMPLAINT**

The State of Oklahoma, *ex rel.* Oklahoma State Board of Medical Licensure and Supervision (“Board”), alleges and states as follows for its Complaint against Chelsea Rachel Moulder, R.C. (“Defendant”):

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 physicians, surgeons and other allied health professionals in the State of Oklahoma pursuant to 59 Okla. Stat. § 480 et seq.

Defendant holds Oklahoma respiratory care license number 4971.

The acts and omissions complained of herein were made while Defendant was acting as a respiratory care provider pursuant to her license conferred upon her by the State of Oklahoma. Such acts and omissions occurred within the physical territory of the State of Oklahoma.

**I. ALLEGATIONS OF PROFESSIONAL MISCONDUCT**

On August 31, 2021, Defendant renewed her license online and gave an affirmative answer to Question P., “Since last renewal, have you been arrested for, charged with, or convicted of a felony?” There were no other affirmative responses on the online renewal.

In her written explanation to Question P, Defendant wrote “Had my ex living with me he was selling marijuana without my knowledge my house got raided and I got arrested and I went to jail with him because the house was in my name”.

A check of medical board records found Defendant has been licensed in respiratory care since 2018. On May 31, 2019 she became licensed as a Respiratory Care Practitioner pending the approval of the Respiratory Care Committee. She was arrested on January 22, 2021.

On January 9, 2021, Clinton Suede Miller was arrested by Tulsa Police officers with marijuana, a firearms magazine and ammunition. Police investigation following the stop and arrest of Miller determined Miller was on his way to smoke marijuana with his friend Defendant at her place of employment at Saint Francis Hospital. Defendant came to the location of the arrest of Miller and took possession of the car that he was driving. On January 22, 2021, Defendant was arrested inside her residence for marijuana possession during the execution of a search warrant by the Tulsa Police Department. Approximately 4.8 pounds of marijuana was located in her residence.

In a statement to Tulsa police investigators on or about January 22, 2021, post Miranda Warning, Defendant stated she gets her marijuana from Miller. Defendant stated to police investigators she has referred her friends to Miller to purchase marijuana. Defendant gave Tulsa police investigators permission to view her cellular telephone in which investigators documented text messages associated with the distribution of marijuana on the phone of Defendant.

Defendant pled guilty in Tulsa County District Court on July 8, 2021, to the offense of possession of marijuana. In her plea of guilty she admitted "On or about 01-22-2021, in Tulsa County, I unlawfully possessed marijuana". In a recorded statement to Board Investigator Larry Rhodes on September 17, 2021, Defendant stated, "I knew that he sold marijuana".

Official court records, sworn investigative documents and admissions by Defendant substantiate that she was knowingly complicit in possessing and distributing the controlled substance marijuana along with her ex-boyfriend Clinton Suede Miller at her residence. The outcome of the criminal case was pled to the misdemeanor offense of Possession of Marijuana in violation of 63 O.S. 2-402. Defendant was given a one-year deferment of her sentence until June 27, 2022.

Further, Defendant was untruthful on a separate question on her online license renewal. On her renewal application dated August 31, 2021, Defendant responded "NO" to Question T, "Since last renewal, have you had mental or physical disorder or condition which, left untreated, could affect your ability to practice competently?"

In recorded statement to Board Investigator Larry Rhodes on September 17, 2021, Defendant stated she has "severe PTSD" which is the reason she has a medical marijuana card. Further, in a plea agreement in Tulsa County District Court, Defendant reported she has received care at Laureate in 2020 for a mood disorder.

## **II. VIOLATIONS**


1. Based on the foregoing, the Defendant is guilty of professional misconduct as follows:
  - a. Habitually intemperate or addicted use of any drug, chemical or substance which could result in behavior that interferes with the practice of respiratory care and the responsibilities of the licensee in violation of Okla. Admin. Code § 435:45-5-3(1),
  - b. Is guilty of fraud or deceit in procuring or attempting to procure a license or renewal in violation of 59 O.S. 2040(1),

- c. Is addicted to, or has improperly obtained, possessed, used or distributed habit forming drugs or narcotics in violation of 59 O.S. 2040(4),
- d. Is guilty of dishonest or unethical conduct in violation of 59 O.S. 2040(5),
- e. Has been guilty of 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),
- f. Unauthorized possession and use of illegal or controlled substances or pharmacologic agents without lawful authority or prescription by an authorized and licensed independent practitioner of the state of Oklahoma in violation of Okla. Admin. Code § 435:45-5-3(2),
- g. Conviction of, or confession or plea of no contest to, a drug related offense in violation of Okla. Admin. Code § 435:45-5-3(6),
- h. Falsifying documents submitted to the Respiratory Care Advisory Committee or the Oklahoma State Board of Medical Licensure and Supervision in violation of in violation of Okla. Admin. Code § 435:45-5-3(7),
- i. Obtaining or attempting to obtain a license, certificate or documents of any form as a respiratory care practitioner by fraud or deception in violation Okla. Admin. Code § 435:45-5-3(A)(8),
- j. Negligence while in practice as a respiratory care practitioner or violating the “Standards of Ethics and Professional Conduct” adopted by the Board in violation of Okla. Admin. Code § 435:45-5-3(11),
- k. Demonstrate behavior that reflects integrity, supports objectivity, and fosters trust in the profession and its professionals adopted by the Board in violation of Okla. Admin. Code § 435:45-5-4(1),
- l. Refuse to participate in illegal or unethical acts, and shall refuse to conceal illegal, unethical, or incompetent acts of others in violation of Okla. Admin. Code § 435:45-5-3(8),

### **III. CONCLUSION**

Given the foregoing, the undersigned 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 the

Defendant's professional license, including an assessment of costs and attorney's fees incurred in this action as provided by law.

  
Joseph L. Ashbaker, OBA No. 19395  
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**VERIFICATION**

I, Larry Rhodes, under penalty of perjury, under the laws of the State of Oklahoma, state as follows:

1. I have read the above Complaint regarding the Defendant, Chelsea Rachel Moulder, R.C.; and
2. The factual statements contained therein are true and correct to the best of my knowledge and belief.

  
Larry Rhodes, Investigator  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION

Date: Dec. 21, 2021

County of Oklahoma County  
Place of Execution