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

FILED

STATE OF OKLAHOMA, ex rel., OKLAHOMA STATE BOARD OF	OCT 0 2 2006
MEDICAL LICENSURE AND SUPERVISION,)	OKLAHOMA STATE BOARD OF MEDICAL LICENSURE & SUPERVISION
Plaintiff,	
vs.	CASE NO. 06-08-3158
KAREN LYNN RILEY, PT) LICENSE NO. PT570,	
)	
Defendant.	

COMPLAINT

COMES NOW the plaintiff, the State of Oklahoma ex rel. the Oklahoma State Board of Medical Licensure and Supervision (the "Board"), by and through its attorney, Elizabeth A. Scott, Assistant Attorney General, and for its Complaint against the Defendant, Karen Lynn Riley, PT, alleges and states as follows:

- 1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physical therapists in the State of Oklahoma pursuant to 59 O.S. §§ 480 et seq. and 887.1 et seq.
- 2. Defendant, Karen Lynn Riley, PT, holds physical therapist license no. PT570 in the State of Oklahoma.
- 3. In or around July 2006, Defendant was practicing as a physical therapist at Valir Clinic in Oklahoma City, Oklahoma. During this time, Defendant submitted false and fraudulent billing records to her employer for submission to the federal Medicare program. The fraudulent billing submissions include the following:
 - a. On July 11, 2006, Defendant represented that she had conducted physical therapy on Patient CWD for 3 billable units (45 minutes) when in fact she spent less than 1 billable unit (5-10 minutes) with him.

- b. On July 13, 2006, Defendant represented that she had conducted physical therapy on Patient CWD for 4 billable units (60 minutes) when in fact she spent just over 1 billable unit (17 minutes) with him.
- 4. Defendant admits that on at least two (2) occasions, she left Patient CWD, a seventy (70) year old patient, in a swimming pool by himself for approximately fifteen (15) minutes during therapy sessions. Defendant admits that the pool at issue is between 3 ½ and 7 feet deep. During the times Defendant left Patient CWD unattended in the pool, she was treating other patients in the gym area of the physical therapy facility.
 - 5. Defendant is guilty of unprofessional conduct in that she:
 - A. Is guilty of conduct unbecoming a person licensed as a physical therapist or physical therapy assistant or guilty of conduct detrimental to the best interests of the public or his profession in violation of 59 O.S. §887.13(9).
 - B. Is guilty of any act in conflict with the ethics of the profession of physical therapy in violation of 59 O.S. §887.13(10).
 - C. Engaged in dishonorable or immoral conduct that is likely to deceive, defraud, or harm the public in violation of OAC 435:20-5-8(b)(5).
 - D. Participated in fraud, abuse and/or violation of state or federal laws in violation of OAC 435:20-5-8(b)(8).
 - E. Engaged in any conduct which potentially or actually jeopardizes a patient's life, health or safety in violation of OAC 435:20-5-8(b)(9).
 - F. Engaged in fraudulent billing practices and/or violation of Medicare and Medicaid laws or abusive billing practices in violation of OAC 435:20-5-8(b)(15).
 - G. Engaged in the improper management of medical records, inaccurate recording, falsifying or altering of patient records in violation of OAC 435:20-5-8(b)(16).
 - H. Violated any provision of the Physical Therapy Practice Act or the rules and regulations of the board or of an action, stipulation, agreement or order of the Board in violation of OAC 435:20-5-8(b)(31).

WHEREFORE, plaintiff requests that 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, the assessment of costs and fees incurred in this action, and any other appropriate action with respect to Defendant's license to practice as a physical therapist in the State of Oklahoma.

Dated this 21 day of October, 2006.

Respectfully submitted,

Elizabeth A. Scott (OBA #12470)

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Attorney for State ex rel.

Oklahoma Board of Medical Licensure and

Supervision