

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

FILED

**STATE OF OKLAHOMA
EX REL. THE OKLAHOMA BOARD
OF MEDICAL LICENSURE
AND SUPERVISION,**

Plaintiff

v.

**LORNA JEAN SCHRINER, OT,
LICENSE NO. OT598,**

Defendant.

NOV 03 2011

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 11-01-4147

VOLUNTARY SUBMITTAL TO JURISDICTION

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 for the State of Oklahoma and the staff of the Board, as represented by the Secretary of the Board, Gerald C. Zumwalt, M.D., and the Executive Director of the Board, Lyle Kelsey, and the Defendant, Lorna Jean Schrinier, OT, Oklahoma license no. OT598, who appears in person and pro se, offer this Agreement for acceptance by the Board *en banc* pursuant to Section 435:5-1-5.1 of the Oklahoma Administrative Code ("OAC").

AGREEMENT AND ACKNOWLEDGMENT BY DEFENDANT

By voluntarily submitting to jurisdiction and entering into this Order, Defendant pleads guilty to the allegations in the Complaint and Citation filed herein on October 14, 2011 and further acknowledges that hearing before the Board would result in some sanction under the Oklahoma Occupational Therapy Practice Act.

Defendant, Lorna Jean Schrinier, OT, 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 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 further acknowledges that she is entitled to have her interests represented by legal counsel and that she has elected to proceed without legal representation, thereby waiving her right to an attorney. Defendant acknowledges that she has read and understands the terms and conditions stated herein.

PARTIES' AGREEMENT AND STIPULATIONS

Plaintiff, Defendant and the Board staff stipulate and agree as follows:

Findings of Fact

1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of occupational therapists in the State of Oklahoma pursuant to 59 Okla. Stat. §§ 480 *et seq.* and 888.1 *et seq.*

2. Defendant, Lorna Jean Schriener, OT, holds Oklahoma license no. OT598, and previously worked at Solara Hospital in Muskogee, Oklahoma.

PRIOR DISCIPLINARY ACTION/ARRESTS

3. On or about January 20, 2010, Defendant was stopped by the Broken Arrow Police Department for suspicion of drunk driving. She failed the Standard Field Sobriety Test and admitted that she had been drinking Vodka. She was arrested and charged with **DUI (ALCOHOL)**, and **TRANSPORTING AN OPEN CONTAINER OF ALCOHOL**.

4. On or about September 2, 2010, Defendant plead guilty to the reduced charge of **RECKLESS DRIVING**. She submitted to an ADSAC Assessment and was ordered to attend a Victims' Impact Panel, attend six (6) weeks of substance abuse counseling, and pay a fine. An Ignition Interlock device was also placed on her car from April 17, 2010 until October 17, 2010. Her driver's license was suspended at that time.

5. On or about September 25, 2010, Defendant was stopped by the Wagoner Police Department on suspicion of drunk driving. Defendant admitted to police officers that she had consumed three (3) bottles of wine. Police found another one-half (1/2) bottle of wine in her car. Defendant was arrested and charged in the District Court of Wagoner County, State of Oklahoma, Case No. CM-2010-00820, with **AGGRAVATED DUI (ALCOHOL)**, **OPERATING A VEHICLE WHILE DRIVING PRIVILEGES SUSPENDED**, and **TRANSPORTING AN OPEN CONTAINER OF ALCOHOL**, all Misdemeanors.

6. Beginning on or about October 26, 2010 and continuing through November 23, 2010, Defendant obtained treatment for substance abuse at Valley Hope.

7. On or about October 27, 2010, Defendant submitted her renewal application online. In response to the question "Have you been arrested for, charged with, or convicted of a traffic violation involving the use of any drug or chemical substance including alcohol?" Defendant answered "**NO**". In response to the question "Have you been addicted to or abused any drug or chemical substance including alcohol?" Defendant answered "**NO**". In response to the question "Have you obtained an assessment or been treated for use of any drug or chemical substance including alcohol?" Defendant answered "**NO**".

8. On or about November 30, 2010, Defendant plead no contest to **DRIVING UNDER THE INFLUENCE (ALCOHOL) and OPERATING A VEHICLE WHILE DRIVING PRIVILEGES SUSPENDED**. She received a two (2) year deferred sentence, was ordered to pay court costs and fees, was placed on supervised probation, and was ordered to complete inpatient treatment for substance abuse.

9. As a result of these arrests, on or about January 28, 2011, the State filed a Complaint against Defendant, and on or about March 10, 2011, the Board accepted the Voluntary Submittal to Jurisdiction wherein Defendant was placed on **PROBATION** for a term of **FIVE (5) YEARS**. Defendant's Order provides that Defendant shall be on probation as follows:

(E) Defendant will have the affirmative duty not to ingest any substance which will cause a body fluid sample to test positive for prohibited substances, including but not limited to alcohol.

(G) Defendant will abide by the terms and recommendations of Valley Hope.

(H) Defendant will attend three (3) meetings per week of a local 12-step program, one (1) of which will be the Oklahoma Health Professionals Recovery Program, with whom she will execute a contract. Defendant will comply with all terms of her contract with the Oklahoma Health Professionals Recovery Program.

10. The provisions cited above have not been modified or deleted but remain in full force and effect as terms and conditions of Defendant's probation.

CURRENT UNPROFESSIONAL CONDUCT ALLEGATIONS

11. On or about May 31, 2011, Defendant was stopped by the Broken Arrow Police Department on suspicion of drunk driving. Defendant was arrested, taken to jail and charged in the District Court of Tulsa County, State of Oklahoma, Case No. CM-2011-2878, with **DRIVING UNDER THE INFLUENCE (ALCOHOL), DRIVING UNDER A SUSPENDED LICENSE, DRIVING LEFT OF CENTER, TRANSPORTING AN OPEN CONTAINER (ALCOHOL) AND FAILURE TO CARRY INSURANCE/SECURITY VERIFICATION**, all Misdemeanors.

12. Beginning on or about July 9, 2011 and continuing through August 8, 2011, Defendant obtained treatment for substance abuse for a second time at Valley Hope.

13. On or about August 16, 2011, Defendant appeared in court and plead no contest to the charges against her. The judge found her **GUILTY** and convicted her on all charges against her. She received a one (1) year suspended sentence, was placed on the District Attorney's supervised probation and was assessed fines and costs.

14. As a result of her conviction in Case No. CM-2011-2878 in Tulsa County District Court, her deferred sentence in Case No. CM-2010-00820 in Wagoner County District Court was accelerated to a one (1) year suspended sentence concurrent with her suspended sentence in Tulsa County District Court. She was additionally ordered by the Wagoner County District Court to sign new rules of probation, complete twenty-eight (28) days of inpatient treatment in lieu of thirty (30) days of incarceration, to attend ninety (90) meetings in ninety (90) days, to obtain outpatient treatment at Laureate, and to complete relapse prevention treatment at Rainbow on the Plains, as well as D.A. Supervised Probation for one (1) year.

15. Defendant is guilty of unprofessional conduct in that she:

- A. Engaged in unprofessional conduct as defined by the rules established by the Board, or violated the Code of Ethics adopted and published by the Board in violation of 59 O.S. §888.9(A)(2).
- B. Violated any provision of this act in violation of 59 O.S. §888.9(A)(5) and 435:30-1-10(29).
- C. Was convicted of, confessed to, or plead no contest to a felony or misdemeanor in violation of 435:30-1-10(a)(2).
- D. Engaged in dishonorable or immoral conduct that is likely to deceive, defraud, or harm the public in violation of 435:30-1-10(a)(3).
- E. Engaged in the habitual intemperance or the habitual use of habit-forming drugs in violation of 435:30-1-10(a)(10).
- F. Engaged in the habitual intemperance or addicted use of any drug, chemical or substance that could result in behavior that interferes with the practice of occupational therapy and the responsibilities of the licensee in violation of 435:30-1-10(a)(11).
- G. Violated any lawful order, rule, or regulation rendered or adopted by the Board in violation of 59 O.S. §888.9(A)(4).

Conclusions of Law

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Oklahoma Occupational Therapy Practice Act and its applicable regulations. The Board is authorized to enforce the Act as necessary to protect the public health, safety and welfare.

2. Based on the foregoing facts, Defendant, Lorna Jean Schriener, OT, Oklahoma license OT598, is guilty of the unprofessional conduct set forth below:

- A. Engaged in unprofessional conduct as defined by the rules established by the Board, or violated the Code of Ethics adopted and published by the Board in violation of 59 O.S. §888.9(A)(2).
- B. Violated any provision of this act in violation of 59 O.S. §888.9(A)(5) and 435:30-1-10(29).
- C. Was convicted of, confessed to, or plead no contest to a felony or misdemeanor in violation of 435:30-1-10(a)(2).
- D. Engaged in dishonorable or immoral conduct that is likely to deceive, defraud, or harm the public in violation of 435:30-1-10(a)(3).
- E. Engaged in the habitual intemperance or the habitual use of habit-forming drugs in violation of 435:30-1-10(a)(10).
- F. Engaged in the habitual intemperance or addicted use of any drug, chemical or substance that could result in behavior that interferes with the practice of occupational therapy and the responsibilities of the licensee in violation of 435:30-1-10(a)(11).
- G. Violated any lawful order, rule, or regulation rendered or adopted by the Board in violation of 59 O.S. §888.9(A)(4).

Order

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

1. The Board *en banc* hereby adopts the agreement of the parties in this Voluntary Submittal to Jurisdiction.
2. The license of Defendant, Lorna Jean Schrinier, O.T., Oklahoma occupational therapist license no. OT598, is hereby **SUSPENDED** beginning July 6, 2011, and continuing for a period of **FOUR (4) MONTHS** until November 6, 2011.
3. At the conclusion of the period of suspension Lorna Jean Schrinier, OT, holding Oklahoma license No. OT598, is hereby placed on **INDEFINITE PROBATION** under the following terms and conditions:
 - A. Defendant will conduct her practice in compliance with the Oklahoma Occupational Therapy Practice Act as interpreted by the Board. Any question of interpretation regarding the 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.

B. Defendant will notify the Board or its designee of any relapse, including entry or re-entry into any rehabilitation, assessment, or evaluation program and shall provide to the Board or its designee written authorization for any and all records associated with said treatment, assessment or evaluation. Defendant acknowledges and agrees that the Board may use such information against Defendant in any future disciplinary proceedings.

C. Defendant will submit for analysis biological fluid specimens including, but not limited to, blood and urine, as well as hair samples, upon request of the Board or its designee, and Defendant will pay for the costs attendant thereto.

D. Defendant will take no medication except that which is authorized by a physician treating her for a legitimate medical need. Defendant has the affirmative duty to inform any and every doctor treating her of the Board Order immediately upon initiation, or continuation of treatment.

E. Defendant will have the affirmative duty not to ingest any substance which will cause a body fluid sample to test positive for prohibited substances, including but not limited to alcohol.

F. Defendant will authorize in writing the release of any and all 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.

G. Defendant will abide by the terms and recommendations of Valley Hope.

I. Defendant will sign a contract with and attend a minimum of one (1) meeting per week of the Health Professionals Recovery Program unless excused by the HPRP. Defendant will comply with all requirements of her contract with the HPRP.

J. Applicant will additionally attend a minimum of four (4) meetings per week of a local 12-Step program.

I. Defendant will participate in group therapy with Kristjan Verlin Yenser or another therapist approved in advance in writing by the Board Secretary and will authorize in writing the release of any and all records of that therapy to the Board or its designee. Defendant shall submit quarterly reports from her therapist to the Board Secretary for his review. Defendant will remain in treatment until both her therapist and the Board Secretary authorize her release from therapy.

J. Defendant shall participate in Intensive Outpatient aftercare support at Laureate, and will authorize in writing the release of any and all records of that treatment to the Board or its designee. Defendant shall additionally submit quarterly reports from her counselor at Laureate to the Board Secretary for his review. Defendant will remain in counseling until both her counselor and the Board Secretary authorize her release from counseling.

K. Defendant will furnish a 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.

L. Defendant will keep the Board informed of her current address.

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

N. Defendant shall promptly notify the Board of any citation or arrest for any criminal offense.

O. Defendant will keep current payment of all assessments by the Oklahoma State Board of Medical Licensure and Supervision for prosecution, investigation and monitoring of her case, which shall include but is not limited to a one-hundred fifty dollar (\$150.00) per month fee during the term of probation, unless Defendant affirmatively obtains a deferment of all or part of said fees upon presentation of evidence that is acceptable to the Board Secretary.

P. Until such time as all indebtedness to the Oklahoma State Board of Medial Licensure and Supervision has been satisfied, Defendant will reaffirm said indebtedness in any and all

bankruptcy proceedings.

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

R. Failure to meet any of the terms of this Board Order will constitute cause for the Board to initiate additional proceedings to suspend, revoke or modify Defendant's license after due notice and hearing.

S. Defendant shall sign a contract with and comply with all requirements of the Oklahoma Allied Professional Peer Assistance Program.

T. Defendant shall practice in a controlled environment approved in advance in writing by the Board Secretary. Defendant shall additionally submit quarterly reports from her employer to the Board Secretary for his review upon request.

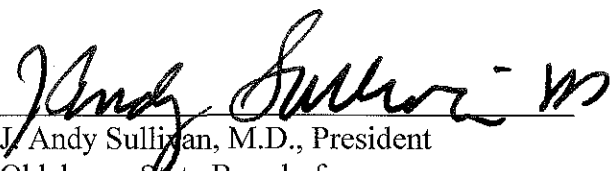
U. Defendant shall not practice in excess of forty (40) hours per week during the term of her probation.

4. 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).

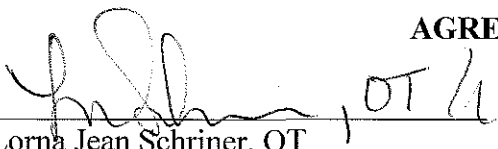
5. Defendant's suspension will be lifted, and her license will be reinstated only upon payment in full of all costs and expenses incurred by the State of Oklahoma.

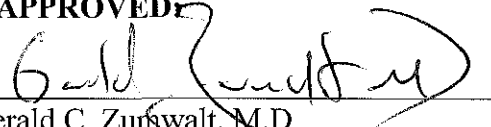
6. A copy of this written order shall be sent to Defendant as soon as it is processed.

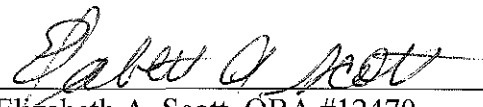
Dated this 3 day of November, 2011.


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

AGREED AND APPROVED


Lorna Jean Schriener, OT
License No. OT598



Gerald C. Zurawalt, M.D.
Secretary & Medical Advisor
Oklahoma State Board of
Medical Licensure and Supervision


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405/962-1400

Attorney for the Oklahoma State Board
of Medical Licensure and Supervision

CERTIFICATE OF MAILING

I CERTIFY THAT ON THE 4TH DAY OF NOVEMBER, 2011, I MAILED A TRUE AND CORRECT COPY OF THE VOLUNTARY SUBMITTAL TO JURISDICTION TO LORNA JEAN SCHRINER, OT, 10427 SOUTH 197 EAST AVE, BROKEN ARROW, OK 74014.


JANET SWINDLE, SECRETARY