

**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.

MAR - 6 2014

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 11-01-4147

**ORDER ACCEPTING
VOLUNTARY SUBMITTAL TO JURISDICTION**

Plaintiff, State of Oklahoma ex rel. the Oklahoma State Board of Medical Licensure and Supervision (the "Board"), by and through its attorney, Matthew Stangl, 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 Defendant, Lorna Jean Schriner, 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 January 31, 2014 and further acknowledges that hearing before the Board would result in some sanction under the Oklahoma Occupational Therapy Practice Act.

Defendant, Lorna Jean Schriner, 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 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 further acknowledges that she has read and understands the terms and conditions stated herein.

AGREEMENTS AND STIPULATIONS

Plaintiff, Defendant and 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

1. 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**.
2. On or about September 2, 2010, Defendant pled guilty to a 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.
3. 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.
4. Beginning on or about October 26, 2010, and continuing through November 23, 2010, Defendant obtained treatment for substance abuse at Valley Hope.
5. 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**".
6. On or about November 30, 2010, Defendant pled 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.

7. 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, in part, 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; and

(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.

8. 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.
9. 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.
10. On or about August 16, 2011, Defendant appeared in court and pled no contest to the charges against her. The judge found her **GUILTY** and convicted her of all charges. She received a one (1) year suspended sentence, was placed on the District Attorney's supervised probation and was assessed fines and costs.
11. 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.

12. As a result of these arrests, on or about October 14, 2011, the State filed a Complaint against Defendant, and on or about November 3, 2011, the Board accepted the Voluntary Submittal to Jurisdiction wherein Defendant's license was **SUSPENDED** for four months ending November 6, 2011. Defendant then was placed on **INDEFINITE PROBATION**. Defendant's Order provides that Defendant shall be on probation, in part, 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;
- (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) *[sic]* 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) *[sic]* 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; and
- (4) *[sic]* 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 Okla. Stat. §506(B).

13. On or about March 7, 2013, Defendant appeared before the Board *en banc* and entered a motion for modification of terms of probation. The Board heard clear and convincing evidence in support of the request for modification of terms of probation and granted the motion. Defendant's probation was modified as follows:

- (A) Defendant is no longer be required to attend a minimum of four (4) meetings per week of a local 12-Step program as required in the Voluntary Submittal to Jurisdiction filed of record on November 3, 2011. However, Defendant is required to attend a minimum of three (3) meetings per week of a local 12-Step program;
- (B) Defendant is no longer required to participate in group therapy with Kristjan Verlin Yenser as required in the Voluntary Submittal to Jurisdiction filed of record on November 3, 2011. However, Defendant is required to participate in therapy with Dale Graham - Minister of her Church 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.
- (C) Defendant is no longer required to 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.

CURRENT UNPROFESSIONAL CONDUCT ALLEGATIONS

- 14. On or about August 29, 2013, Board staff received a report from the Oklahoma Health Professionals Program (OHPP) that Defendant had tested positive for ethyl.
- 15. On or about September 4, 2013, Defendant signed an Agreement Not to Practice until the potential Complaint against her is heard by the Board *en banc* or she is released by the Board Secretary.

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 Okla. Stat. §888.9(A)(2);
- B. Violated any provision of this act in violation of 59 Okla. Stat. §888.9(A)(5) and OAC 435:30-1-10(a)(29);
- C. Engaged in dishonorable or immoral conduct that is likely to deceive, defraud, or harm the public in violation of OAC 435:30-1-10(a)(3);
- D. Engaged in the habitual intemperance or the habitual use of habit-forming drugs in violation of OAC 435:30-1-10(a)(10);
- E. 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 OAC 435:30-1-10(a)(11); and
- F. 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 Schriner, O.T., Oklahoma occupational therapist license no. OT598, is hereby **SUSPENDED** beginning September 3, 2013, and continuing for a period of **THREE (3) MONTHS** until December 3, 2013.
3. At the conclusion of the period of suspension Lorna Jean Schriner, OT, holding Oklahoma license No. OT598, is hereby placed on **INDEFINITE PROBATION** under the following terms and conditions:

Standard Terms:

- 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 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.
- C. Defendant will keep the Board informed of her current address.
- D. Defendant will keep current payment of all assessment by the Board for prosecution, investigation and monitoring of his/her case unless Defendant affirmatively obtains a deferment of all or part of said fees upon presentation of evidence that is acceptable to the Board Secretary.
- E. Until such time as all indebtedness to the Oklahoma State Board of Medical Licensure and Supervision has been satisfied, Defendant will reaffirm said indebtedness in any and all bankruptcy proceedings.
- F. Defendant shall make herself available for one or more personal appearances before the Board or its designee upon request.
- G. Defendant shall submit any required reports and forms on a timely, accurate and prompt basis to the Compliance Coordinator or designee.
- H. 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.
- I. 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.
- J. Defendant shall promptly notify the Board of any citation or arrest for any criminal offense.

Specific Terms:

- K. 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.

- L. 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.
- M. Defendant will take no medication except that which is authorized by a physician treating her for a legitimate medical need and only during that time in which she is being treated by the physician for that specific 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.
- N. 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.
- O. Defendant will sign a contract with and attend a minimum of one (1) meeting per week of the Oklahoma Health Professionals Program (OHPP) unless excused by the OHPP. Defendant will comply with all requirements of her contract with the OHPP. The contract will include the use of Sober Link.
- P. Defendant will attend a minimum of three (3) 12-step meetings per week in addition to OHPP weekly meeting for a total of four (4) meetings per week.
- Q. Defendant will obtain counseling for PTSD from a 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.
- R. 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 certain terms of her probation may constitute cause for the Executive Director of the Board to summarily suspend Defendant's license based on imminent harm to the public pursuant to 59 O.S. §506(B).

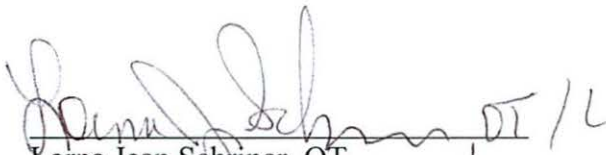
5. A copy of this written order shall be sent to Defendant as soon as it is processed.

Dated this _____ day of March, 2014.



G. David Casper, M.D., President
Oklahoma State Board of
Medical Licensure and Supervision

AGREED AND APPROVED:



Lorna Jean Schriener, OT
License No. OT598



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

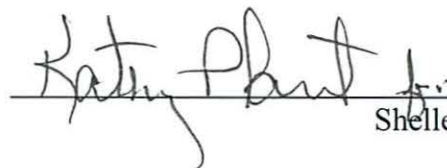


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Attorney for the Oklahoma State Board
of Medical Licensure and Supervision

CERTIFICATE OF MAILING

The undersigned hereby certified that on the 7th day of March, 2014, a true and correct copy of the above and foregoing Order Accepting Voluntary Submittal to Jurisdiction was mailed, postage prepaid, to Lorna Jean Schriener, OT, 10427 South 197th East Ave., Broken Arrow, OK, 74014.



Shelley Crowder