

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, )

NOV 2 2000

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Plaintiff, )

v. )

Case No. 00-09-2251

BARBARA PAYTON-LEWIS, OT )  
LICENSE NO. OT721 )

Defendant. )

**VOLUNTARY SURRENDER OF LICENSE**  
**IN LIEU OF PROSECUTION**

State of Oklahoma )  
 )  
Oklahoma County )

I, Barbara Payton-Lewis, O.T., being of lawful age and after first being duly sworn, depose and state as follows:

1. I hereby voluntarily surrender my Oklahoma Occupational Therapy License No. OT721.
2. The surrender of my license is freely and voluntarily made. I have not been subject to any coercion or duress, and I am fully aware of the consequences of the surrender of my license.
3. I am the subject of a Complaint and Citation filed by the Oklahoma State Board of Medical Licensure and Supervision involving allegations that if proven, would constitute grounds for disciplinary action by the Board.
4. The allegations to which I have plead guilty are as follows:
  - A. Defendant, Barbara Payton-Lewis, OT, holds Oklahoma license no. OT721, and is authorized to practice as an occupational therapist in the State of Oklahoma.

B. On or about December 17, 1999, Defendant was notified by the Director of Licensing of the Oklahoma State Board of Medical Licensure and Supervision (the "Board") that she was required to submit documentation of the completion of 20 hours of continuing education obtained between November 1, 1997 and October 31, 1999. Defendant was requested to provide this documentation by February 1, 2000. Defendant never provided the information requested by the Board.

C. On or about February 9, 2000, Defendant was again notified by the Director of Licensing of the Board that she was required to submit documentation of the completion of 20 hours of continuing education. Defendant was requested to provide the documentation by February 16, 2000. Defendant was additionally advised that her failure to provide the requested information by February 16, 2000 could result in the institution of disciplinary proceedings. Defendant failed to provide the requested information.

D. On or about March 15, 2000, Defendant was advised that the Board had still not received the documentation requested and that if not received by March 22, 2000, disciplinary proceedings could be instituted. Defendant failed to provide the requested information.

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

1. Violated any lawful order, rule, or regulation rendered or adopted by the Board in violation of 59 O.S. §888.9(A)(4) and OAC 435:30-1-5.
2. Obtained a license by means of fraud, misrepresentation, or concealment of material facts in violation of 59 O.S. §889.9(A)(1).
3. Engaged in unprofessional conduct as defined by the rules established by the Board, or violating the Code of Ethics adopted and published by the Board in violation of 59 O.S. §888.9(A)(2) as follows:
  - (a) Secured her license by fraud or deceit in violation of OAC 435:30-1-10(3).
  - (b) Violated or conspired to violate the provisions of this Act or Rules and Regulations issued pursuant to the Act in violation of OAC 435:30-1-10(7).

5. I hereby submit my wallet card and wall certificate as evidence of my intent to surrender my license.

6. As a condition to accepting my surrender of license in lieu of prosecution, I acknowledge that the Board may require me to pay all costs expended by the Board for any legal fees and costs, and any investigation, probation and monitoring fees, including but not limited to staff time, salary and travel expense, witness fees and attorney fees.

DATED this 31st day of October, 2000.

Barbara Payton-Lewis  
Barbara Payton-Lewis, O.T.

Subscribed and sworn before me this 1 day of Nov, 2000.

Janet Owens  
Notary Public

My commission expires on 12-20-00.

**ACCEPTED:**

Gerald C. Zumwalt

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

Tim Smalley

Tim Smalley, M.D.  
President  
Oklahoma State Board of Medical  
Licensure and Supervision

Date: Nov. 2, 2000

Date: Nov. 2, 2000