

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.)

BARBARA PAYTON-LEWIS, O.T.)
License No. OT721)

Defendant.)

NOV 2 2000

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 00-09-2251

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

This cause came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the "Board") *en banc* on the 2 day of November, ~~2000~~ at the Board office, 5104 N. Francis, Suite C, Oklahoma City, OK 73118, pursuant to notice given as required by law and rules of the Board.

Elizabeth A. Scott, Assistant Attorney General, appeared on behalf of the State of Oklahoma, ex rel. the Oklahoma State Board of Medical Licensure and Supervision. The Defendant acknowledges the proceedings and waives personal appearance.

The Board *en banc* heard testimony, reviewed the exhibits presented, and being fully apprised in the premises, finds that there is clear and convincing evidence of the following Findings of Fact, Conclusions of Law, and Orders:

Findings of Fact

1. Barbara Payton-Lewis currently possesses Oklahoma occupational therapy license no. OT721.
2. Defendant Barbara Payton-Lewis, O.T., is the subject of a complaint and citation filed by the Oklahoma State Board of Medical Licensure and Supervision.
3. The Board *en banc* has jurisdiction over the subject matter herein, and notice has been given in all respects as required by law and the rules of the Board.

4. Pursuant to 59 O.S. §509(E), Defendant wishes to surrender her Oklahoma Occupational Therapy License No. OT721 in lieu of prosecution.

5. The surrender of Occupational Therapy License No. OT721 is freely and voluntarily made, and the Defendant has not been subject to duress or coercion.

6. The Defendant is fully aware of the consequences of the surrender of her license.

7. Defendant has plead guilty to the allegations constituting misconduct and acknowledges that the allegations, if proven, could constitute grounds for disciplinary action by the Board.

8. Defendant has submitted a sworn statement describing the misconduct to which she has plead guilty as required by 59 O.S. §509(E).

9. Defendant has surrendered her wall certificate and wallet card with her request for voluntary surrender of her license.

Conclusions of Law

10. The Board has jurisdiction over the defendant and the subject matter herein pursuant to 59 O.S. §888.1 et seq.

11. Pursuant to 59 O.S. §509(E), the Board has the authority to accept this surrender of license in lieu of prosecution.

12. The request of defendant to surrender her license is appropriate under the circumstances of this case.

13. Clear and convincing evidence exists for the conditions of surrender of Occupational Therapy License No. OT721.

Order

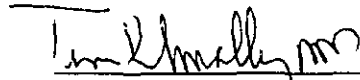
14. The voluntary surrender of license in lieu of prosecution submitted by defendant is hereby accepted by the Board.

15. Oklahoma Occupational Therapy License No. OT721 of the defendant, Barbara Payton-Lewis, O.T., should be and is hereby surrendered as of the date of this order, November 4, 2000.

16. Pursuant to 59 O.S. §509.1(E)(4), the defendant shall pay all reasonable 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 expenses, witness fees and attorney's fees incurred with respect to this case.

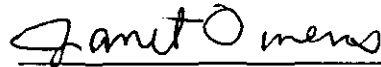
DATED this 2nd day of November, 2000.



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

CERTIFICATE OF MAILING

I certify that on the 7 day of November, 2000, I mailed a true and correct copy of the Order Accepting Voluntary Surrender of License in Lieu of Prosecution to Barbara Payton-Lewis, c/o Marcia Hatley, RR 2 Box 410, Blanchard, OK 73013.



Janet Owens