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

STATE OF OKLAHOMA, ex rel., OKLAHOMA STATE BOARD OF	FILED
MEDICAL LICENSURE	FED 2.5 2021
AND SUPERVISION,) MEDICAL LICENSUKE & SUPERVISION
Plaintiff,)
v.) Case No. 20-10-5938
BRIAN CHRISTOPHER LEE, OTA)
LICENSE NO. OA 912,)
Defendant)
Detendant	

VERIFIED COMPLAINT

The State of Oklahoma, ex rel. Oklahoma State Board of Medical Licensure and Supervision ("Board"), alleges and states as follows for its Complaint against BRIAN CHRISTOPHER LEE, OTA ("Defendant"):

I. JURISDICTION

- 1. The Board has jurisdiction over the subject matter and is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of Occupational Therapy Assistants in the State of Oklahoma. 59 O.S. §888.14, et seq. and Okla. Admin. Code 435:30-1-10.
- 2. In Oklahoma, Defendant holds Oklahoma license no. OA 912.

II. ALLEGATIONS OF UNPROFESSIONAL CONDUCT

- 3. On September 22, 2020, Defendant self-reported to Board staff that, one week prior, he falsely documented treatment of and billed for treatment of a patient (hereafter C.J.) whom, in fact, Defendant did not treat. Defendant indicated that he had, on September 15, 2020, traveled to the home of C.J. to provide scheduled services; however, upon his arrival, Defendant discovered C.J. was not present.
- 4. Medical records documenting that C.J. was, in fact, receiving inpatient hospital treatment on the date and at the time in question corroborate Defendant's admission to falsely documenting treatment of C.J. on September 15, 2020.

WEST ES IN PROPERTY.

III. VIOLATIONS

- 5. Based on the foregoing, **BRIAN CHRISTOPHER LEE**, **OTA**, is guilty of unprofessional conduct as follows:
 - a. Dishonorable or immoral conduct that is likely to deceive, defraud, or harm the public, in violation of Okla. Admin. Code 435: 30-1-10(a)(2).
 - b. Fraudulent billing practices and/or violation of Medicare and Medicaid laws, in violation of OAC 435:30-1-10(a)(6).
 - c. Violation of any provision(s) of the Occupational Therapy Practice Act or the rules and regulations of the board in violation of Okla. Admin. Code 435: 30-1-10(a)(28) and 59 O.S. §888.9(4) and (5).

IV. CONCLUSION

Given the foregoing, the undersigned respectfully request the Board to conduct a hearing, and upon proof of the allegation(s) contained herein, impose an appropriate punishment pursuant to the applicable law and rule on **BRIAN CHRISTOPHER LEE**, **OTA**, including an assessment of costs and attorneys' fees incurred in this action as provided by law.

Respectfully submitted,

Amanda E. Everett, OBA # 30107

Assistant Attorney General

OKLAHOMA STATE BOARD OF MEDICAL

LICENSURE AND SUPERVISION

101 N.E. 51st Street

Oklahoma City, Oklahoma 73105

Tel. 405.962.1400

Amanda.Everett@oag.ok.gov

VERIFICATION

I, Melissa Davis, RN, under penalty of perjury, under the laws of the State of Oklahoma, state as follows:

- I have read the above Complaint regarding BRIAN CHRISTOPHER LEE, OTA, and,
- The factual statements contained therein are true and correct to the best of my knowledge and belief.

Melissa Davis, RN, Investigator

OKLAHOMA STATE BOARD OF MEDICAL

LICENSURE AND SUPERVISION

Executed this 23 day of February, 2021, in Oklahoma County, State of Oklahoma.