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

STATE OF OKLAHOMA, ex rel.,		
OKLAHOMA STATE BOARD OF		JUL 2 8 2006
MEDICAL LICENSURE AND)	OTATE BOARD OF
SUPERVISION,)	OKLAHOMA STATE BOARD OF MEDICAL LICENSURE & SUPERVISION
Plaintiff,)	
vs.		CASE NO. 06-06-3109
MICHELLE DIANNE HILDEBRAND, LD)	
LICENSE NO. LD927,)	
)	
D.C. I.)	
Defendant.)	

COMPLAINT

COMES NOW the 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, and for its Complaint against the Defendant, Michelle Dianne Hildebrand, LD, alleges and states as follows:

- 1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of dietitians in the State of Oklahoma pursuant to 59 O.S. §§ 480 et seq. and 1721 et seq.
- 2. Defendant, Michelle Dianne Hildebrand, LD, holds dietitian license no. LD927 in the State of Oklahoma.
- 3. On or about May 12, 2003, Defendant was arrested and charged in Oklahoma County with Possession of Marijuana, Possession of Paraphernalia, Unauthorized Use of a Vehicle and Escape from Custody. She subsequently plead guilty and received a three (3) year deferred sentence where she was required to attend two (2) years of intensive therapy. On or about May 5, 2006, Defendant completed all court requirements and the charges were dismissed.
- 4. On or about May 24, 2006, Defendant relapsed by smoking Methamphetamines in the parking lot at the Absentee Shawnee Tribe clinic where she was employed. When approached by tribal police, Defendant turned over the remaining Methamphetamines in her possession.

- 5. On or about May 25, 2006, pursuant to her employer's request, Defendant resigned her position with the Absentee Shawnee Tribe.
- 6. Based on the allegations stated above, Defendant is guilty of unprofessional conduct as follows:
 - A. Abused alcohol or drugs in any manner which detrimentally affects the provision of nutritional services in violation of 59 O.S. §1738(A)(2) and OAC 435:35-1-4(c)(1)(F).
 - B. Failed to comply with the provisions of the Oklahoma Controlled Substances Act in violation of 59 O.S. §1738(A)(2) and OAC 435:35-1-4(c)(1)(G).
- 7. These allegations raise serious concerns about Defendant's ability to practice as a dietitian in the State of Oklahoma with reasonable skill and safety.

WHEREFORE, plaintiff requests that the Board conduct a hearing, and upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation, the assessment of costs and fees incurred in this action, and any other appropriate action with respect to Defendant's license to practice as a dietitian in the State of Oklahoma.

Dated this 284 day of July, 2006.

Respectfully submitted,

Klizabeth A. Scott (OBA #12470)

Assistant Attorney General

5104 N. Francis, Suite C

Oklahoma City, OK 73154

Attorney for State ex rel.

Oklahoma Board of Medical Licensure and

Supervision