

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

IN THE MATTER OF THE)
APPLICATION OF)

MICHELLE DIANNE HILDEBRAND, LD)

FOR REINSTATEMENT OF OKLAHOMA)
DIETITIAN LICENSE NO. LD927)

FILED

JAN 19 2007

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 06-06-3109

**ORDER GRANTING REINSTATEMENT OF
LICENSE UNDER TERMS OF PROBATION**

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision on January 18, 2007, at the Board office, 5104 North Francis, Suite C, Oklahoma City, Oklahoma 73118, pursuant to notice given as required by law and rules of the Board.

Defendant, Michelle Dianne Hildebrand, LD, appeared in person and pro se.

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 Board *en banc* heard testimony, reviewed the exhibits presented, and being fully apprised of the premises, entered the following Findings of Fact, Conclusions of Law, and Orders:

Findings of Fact

1. 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.

2. On September 21, 2006, after hearing before the Board *en banc*, the Board entered a Final Order of Suspension whereby it suspended Defendant's license indefinitely until she completed inpatient treatment for substance abuse at a treatment center approved in advance by the Board Secretary.

3. Defendant is now seeking reinstatement of her Oklahoma dietitian license no. LD927.

CONCLUSIONS OF LAW

1. The Board has jurisdiction to reinstate the license of a dietitian pursuant to 59 O.S. §1727C.
2. The Board may impose practice parameters and other restrictions as necessary to protect the health, safety and welfare of the public under 59 O.S. §1727 *et seq.*

ORDER

IT IS THEREFORE ORDERED by the Board of Medical Licensure and Supervision as follows:

1. Defendant's dietitian license shall be reinstated under the following terms and conditions of **PROBATION**, which shall continue for a period of five (5) years from the date of reinstatement under the following terms and conditions:

A. Defendant will conduct her practice in compliance with the Oklahoma Licensed Dietitian Act as interpreted by the Oklahoma State Board of Medical Licensure and Supervision. Any question of interpretation regarding said Act 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 Oklahoma State Board of Medical Licensure and Supervision.

B. Defendant will furnish to each and every state in which she holds licensure or applies for licensure and hospitals, clinics or other institutions in which she holds or anticipates holding any form of staff privilege or employment, a copy of the Board Order stipulating sanctions imposed by the Oklahoma State Board of Medical Licensure and Supervision.

C. Defendant will not administer, dispense or possess any drugs in Schedules I through V.

D. Defendant will submit for analysis biological fluid specimens including, but not limited to, blood and urine, upon request of the Board or its designee, and Defendant will pay for the costs attendant thereto.

E. Defendant will take no medication except that which is authorized by a physician treating her for a legitimate 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.

F. 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 authorize in writing the release of any and all information regarding her treatment at Clay Crossing for Women and will execute such releases of 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.

H. Defendant will abide by the terms and recommendations of her discharge summary and postcare contract with Clay Crossing for Women, a copy of which is attached hereto.

I. Defendant will attend four (4) 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.

J. Defendant will attend one (1) Celebrate Recovery meeting per week.

K. Defendant will obtain a female sponsor.

L. Defendant will enter and continue counseling with a therapist approved in advance by the Board Secretary and will authorize in writing the release of any and all records of that treatment to the Board or its designee. Defendant shall submit quarterly reports from her therapist to the Board Secretary for his review.

M. Defendant shall promptly notify the Board of any relapse, including any entry, or re-entry, into a treatment program for substance abuse.

N. Defendant shall promptly notify the Board of any citation or arrest for traffic or for criminal offenses involving substance abuse.

O. Defendant will keep the Oklahoma State Board of Medical

Licensure and Supervision informed of her current address.

P. Defendant will keep current payment of all assessment by the Board for prosecution, investigation and monitoring of his case, including but not limited to a \$100.00 per month monitoring fee.

Q. 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.

R. Defendant shall make herself available for one or more personal appearances before the Board or its designee upon request.

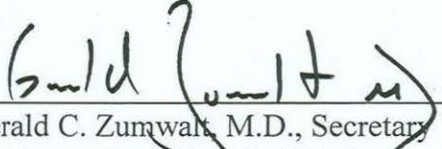
S. Defendant shall submit any required reports and forms on an accurate, timely and prompt basis to the Compliance Coordinator or designee.

2. During the period of probation, failure to meet any of the terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke Defendant's license, after due notice and hearing.

3. Defendant's suspension will be lifted, and her license will be reinstated only upon payment in full of all costs and expenses incurred by the State of Oklahoma prior to January 18, 2007.

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

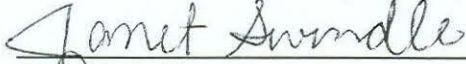
Dated this 19 day of January, 2007.



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

Certificate of Service

On the 22 day of January, 2007, a true and correct copy of this order was mailed, postage prepaid, to Michelle Hildebrand, 2813 S. Main Street, Goldsby, OK 73093.



Janet Swindle