

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

FILED

FEB 03 2000

STATE OF OKLAHOMA)
EX REL. THE OKLAHOMA BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff,)

v.)

Case No. 99-09-2114

CHRISTA GREELEY, R.C.,)
R.C. LICENSE NO. 938,)

Defendant.)

VOLUNTARY SUBMITTAL TO JURISDICTION

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 for the State of Oklahoma, and the staff of the Board, as represented by the Secretary of the Board, Gerald C. Zumwalt, M.D., and the Executive Director of the Board, Lyle Kelsey, and the Defendant, Christa Greeley, R.C., Oklahoma R.C. license no. 938, who appears in person and pro se, proffer this Agreement for acceptance by the Board *en banc* pursuant to Section 435:5-1-5.1 of the Oklahoma Administrative Code ("OAC").

AGREEMENT AND ACKNOWLEDGMENT BY DEFENDANT

By voluntarily submitting to jurisdiction and entering into this Order, Defendant pleads guilty to the allegations in the Complaint and Citation filed herein on September 15, 1999 and acknowledges that hearing before the Board would result in some sanction under the Respiratory Care Practice Act.

Defendant, Christa Greeley, R.C., states that she is of sound mind and is not under the influence of, or impaired by, any medication or drug and that she fully recognizes her right to appear before the Board for evidentiary hearing on the allegations made against her. Defendant hereby voluntarily waives her right to a full hearing, submits to the jurisdiction of the Board and agrees to abide by the terms and conditions of this Order. Defendant acknowledges that she has read and understands the terms and conditions stated herein, and that this Agreement has been reviewed and discussed with her.

PARTIES' AGREEMENT AND STIPULATIONS

Plaintiff, Defendant and the Board staff stipulate and agree as follows:

Findings of Fact

1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of respiratory therapists in the State of Oklahoma pursuant to 59 Okla. Stat. §§ 480 *et seq.* and 2026 *et seq.*

2. Defendant, Christa Greeley, R.C., holds respiratory care license no. RC938 in the State of Oklahoma.

3. From January 19, 1996 until December 25, 1998, Defendant was under an agreement for licensure with the Board due to a history of substance abuse.

4. During the months of July and August, 1999, Defendant admitted to a Board investigator that she repeatedly purchased and used Cocaine, which is a felony under the laws of the State of Oklahoma. Defendant had previously been asked to resign from her job at Bethany Hospital due to the fact that she brought an unopened container of liquor to her job.

5. Based on the allegations stated above, Defendant is guilty of unprofessional conduct as follows:

- A. She is unfit or incompetent by reason of negligence, habits, or other causes of incompetency in violation of 59 Okla. Stat. §2040(2).
- B. She is addicted to, or has improperly obtained, possessed, used or distributed habit-forming drugs or narcotics in violation of 59 Okla. Stat. §2040(4).
- C. She has violated the following provisions of the rules promulgated by the Board under 59 Okla. Stat. §2040(9):
 - (1) Habitual or excessive use of any drug which impairs the ability to practice with reasonable skill and safety to the patient in violation of OAC 435:10-7-4(3) and 59 O.S. §509 (5).
 - (2) Conduct likely to deceive, defraud, or harm the public in violation of OAC 435:10-7-4(11) and 59 O.S. §509(9).

- (3) Inability to practice her profession with reasonable skill and safety to patients by reason of age, illness, drunkenness, excessive use of drugs, narcotics, chemicals, or any other type of material or as a result of any mental or physical condition in violation of OAC 435:10-7-4(40).
- (4) Conviction or confession of a crime involving violation of the laws of this state in violation of 59 O.S. §509(8).

Conclusions of Law

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Respiratory Care Practice Act (the "Act") and its applicable regulations. The Board is authorized to enforce the Act as necessary to protect the public health, safety and welfare.

2. Defendant, Christa Greeley, R.C., Oklahoma respiratory care license no. 938, is guilty of the unprofessional conduct set forth below based on the foregoing facts:

- A. She is unfit or incompetent by reason of negligence, habits, or other causes of incompetency in violation of 59 Okla. Stat. §2040(2).
- B. She is addicted to, or has improperly obtained, possessed, used or distributed habit-forming drugs or narcotics in violation of 59 Okla. Stat. §2040(4).
- C. She has violated the following provisions of the rules promulgated by the Board under 59 Okla. Stat. §2040(9):
 - (1) Habitual or excessive use of any drug which impairs the ability to practice with reasonable skill and safety to the patient in violation of OAC 435:10-7-4(3) and 59 O.S. §509 (5).
 - (2) Conduct likely to deceive, defraud, or harm the public in violation of OAC 435:10-7-4(11) and 59 O.S. §509(9).
 - (3) Inability to practice her profession with reasonable skill and safety to patients by reason of age, illness, drunkenness, excessive use of drugs, narcotics,

chemicals, or any other type of material or as a result of any mental or physical condition in violation of OAC 435:10-7-4(40).

- (4) Conviction or confession of a crime involving violation of the laws of this state in violation of 59 O.S. §509(8).

Order

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

1. The Board *en banc* hereby adopts the agreement of the parties in this Voluntary Submittal to Jurisdiction.

2. Pursuant to the parties' voluntary agreement and submittal to jurisdiction, Defendant shall be placed on PROBATION for an indefinite period of time under the following terms and conditions:

A. Defendant will conduct her practice in compliance with the Oklahoma Respiratory Care Practice 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. Upon request of the Board Secretary, Defendant will request all hospitals in which she practices to furnish to the Board Secretary a written statement regarding monitoring of her practice while performing services in or to that hospital.

D. Defendant shall practice respiratory therapy only in a setting where she is supervised by a senior respiratory care therapist.

E. Defendant will participate in regular intensive individual

psychotherapy with a therapist approved in advance by the Board Secretary. Defendant shall attend therapy at least one time per month unless otherwise directed by her therapist. Defendant shall continue her therapy until discharged by her therapist.

F. Defendant shall immediately make contact with Dr. Harold Thiessen of the Physician Recovery Program to direct her recovery efforts. Defendant shall request Dr. Thiessen to submit quarterly reports of her recovery to the Board Secretary for his review.

G. Defendant will submit biological fluid specimens to include, but not limited to, blood and urine, for analysis, upon request of the Oklahoma State Board of Medical Licensure and Supervision or its designee, and Defendant will pay for the analysis thereof.

H. 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.

I. Defendant will have the affirmative duty not to ingest any substance which will cause a body fluid sample to test positive for prohibited substances.

J. Defendant will abide by any outpatient therapy recommended by her Board approved therapist.

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

L. Defendant shall submit any required reports and forms on a timely and prompt basis to the Compliance Coordinator or his designee.

M. Defendant will authorize in writing the release of any and all records of her medical, emotional or psychiatric treatment to the Oklahoma State Board of Medical Licensure and Supervision and will authorize the Compliance Consultant to the Board to discuss her case and treatment with the individuals providing Defendant's treatment.

N. Defendant will keep the Oklahoma State Board of Medical Licensure and Supervision informed of her current address.

O. Defendant will keep current payment of all assessment by the Oklahoma State Board of Medical Licensure and Supervision for prosecution, investigation and monitoring of her case.

P. Until such time as all indebtedness to the Oklahoma State Board of Medial Licensure and Supervision has been satisfied, Defendant will reaffirm said indebtedness in any and all bankruptcy proceedings.

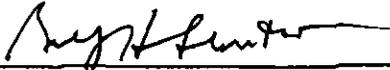
Q. Defendant shall make herself available for one or more personal appearances before the Board or its designee upon request.

R. Defendant will notify the Board or its designee of any slip, relapse, entry or re-entry into an inpatient rehabilitation, assessment, or evaluation program and shall provide to the Board or its designee written authorization for any and all records associated with said treatment, assessment or evaluation. Defendant acknowledges and agrees that the Board may use such information against Defendant in any future disciplinary proceedings.

S. Failure to meet any of the terms of this Board Order will constitute cause for the Board to initiate additional proceedings to suspend, revoke or modify Defendant's license after due notice and hearing.

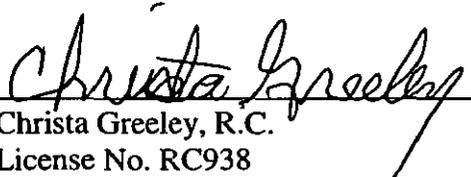
3. Promptly upon receipt of an invoice for such charges, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and investigation costs, and shall keep current all payments for monitoring her compliance with this agreement.

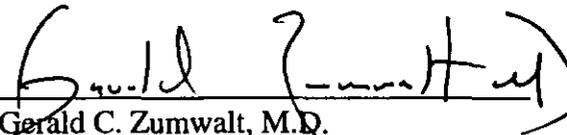
Dated this 3 day of ~~January~~^{February}, 2000.

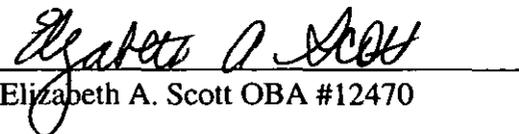


Billy Stout, M.D., President
Oklahoma State Board of
Medical Licensure and Supervision

AGREED AND APPROVED:


Christa Greeley, R.C.
License No. RC938

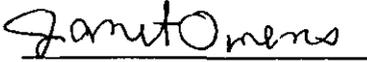

Gerald C. Zumwalt, M.D.
Secretary & Medical Advisor
Oklahoma State Board of
Medical Licensure and Supervision


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State of Oklahoma
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Oklahoma City, OK 73118
405/848-6841

Attorney for the Oklahoma State Board
of Medical Licensure and Supervision

CERTIFICATE OF MAILING

This is to certify that on this 7th day of February, 2000, a true and correct copy of this order was mailed, postage prepaid, to :
Christa Greeley, RC, 7805 NW 39th, Bethany, OK 73008.


Janet Owens, Secretary