

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

**FILED**

AUG - 4 2005

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

Plaintiff

v.

LESLIE MARIE LAMBERT, O.T.,  
LICENSE NO. OT955,

Defendant.

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Case No. 05-04-2954

**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, Leslie Marie Lambert, O.T., Oklahoma license no. OT955, 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 occupational therapists in the State of Oklahoma pursuant to 59 O.S. §§ 480 *et seq.* and 888.1 *et seq.*

2. Defendant, Leslie Marie Lambert, OT, holds occupational therapy license no. OT955 in the State of Oklahoma.

3. On August 29, 2002, Defendant was arrested by the Yukon Police Department based upon an incident where she obtained a controlled dangerous substance by fraud. Specifically, she called in or caused to be called in a prescription for Tussionex, then picked up the drugs at Eckerd Drug in Yukon, Oklahoma.

4. On or about September 5, 2002, Defendant was charged with the crime of **OBTAINING A CONTROLLED DANGEROUS SUBSTANCE BY FRAUD**, a felony, in violation of 63 O.S. §2-407, in the District Court of Canadian County, State of Oklahoma.

5. Defendant subsequently obtained treatment for substance abuse at Right Way Medical Clinic in Oklahoma City, Oklahoma.

6. On or about October 25, 2002, Defendant submitted her Application for Renewal of Oklahoma license. On her application, Defendant was asked the following question:

"Since the last renewal or initial licensure (whichever is most recent), have you been arrested or charged or convicted of a felony or misdemeanor?"

In response to this question, Defendant answered "No."

Defendant was also asked the following question:

"Since the last renewal or initial licensure (whichever is most recent), have you obtained an assessment or been treated for use of any drug or chemical substance including alcohol?"

In response to this question, Defendant answered "No."

7. Title 59 O.S. §508 provides as follows:

"Whenever any license has been procured or obtained by fraud or misrepresentation...it shall be the duty of the State Board of Medical Licensure and Supervision to take appropriate disciplinary action in the same manner as is provided... for the disciplining of unprofessional conduct."

Section 508 further provides as follows:

"Use of fraudulent information to obtain a license shall be a misdemeanor offense, punishable, upon conviction, by the imposition of a fine of not less than One Thousand Dollars (\$1,000.00), or by imprisonment in the State Penitentiary for not more than one (1) year, or by both such fine and imprisonment."

8. On or about December 18, 2002, Defendant plead guilty to the charge of **OBTAINING A CONTROLLED DANGEROUS SUBSTANCE BY FRAUD** and received a three (3) year deferred sentence, two (2) years of supervised probation, requirement for substance abuse counseling, and was ordered to pay court costs.

9 Defendant is guilty of unprofessional conduct in that she


- A. Obtained a license by means of fraud, misrepresentation, or concealment of material facts in violation of 59 O.S. § 887.9(A)(1) and OAC 435:30-1-10 (24).
- B. Engaged in unprofessional conduct as defined by the rules established by the Board, or violating the Code of Ethics adopted and published by the Board in violation of 59 O.S. § 887.9(A)(2) and OAC 435:30-1-10 (29).
- C. Violated any provision of this act in violation of 59 O.S. § 887.9(A)(2).
- D. Was convicted of, or confessed to or plead no contest to a felony or misdemeanor in violation of OAC 435:30-1-10 (2).
- E. Engaged in dishonorable or immoral conduct that is likely to deceive, defraud, or harm the public in violation of OAC 435:30-1-10 (3).
- F. Procured, aided or abetted a criminal operation in violation of OAC 435:30-1-10 (5).
- G. Participated in fraud, abuse and/or violation of state or federal laws in violation of OAC 435:30-1-10 (6).
- H. Falsely manipulated a patient's record or forged a prescription for medication/drugs, or presented a forged prescription in violation of OAC 435:30-1-10 (9).
- I. Engaged in the use of the unauthorized possession or use of illegal or controlled substances or pharmacological agent without lawful authority or prescription by an authorized and licensed independent practitioner of the State of Oklahoma in violation of OAC 435:30-1-10 (12).
- J. Falsified documents submitted to the Occupational Therapy Committee or the Oklahoma State Board of Medical Licensure and Supervision in violation of OAC 435:30-1-10 (23).

*Conclusion*

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 the revocation or suspension of the Defendant's license to practice as an occupational therapist in the State of Oklahoma, the assessment of costs and fees incurred in this action, and any other appropriate action with respect to Defendant's license to practice as an occupational therapist in the State of Oklahoma.

Dated this 4<sup>th</sup> day of August, 2005 at 2:00 p.m.

Respectfully submitted,

  
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