

BEFORE THE BOARD OF MEDICINE

STATE OF NORTH DAKOTA

North Dakota Board of Medicine – )  
Investigative Panel A, )

Complainant, )

vs. )

Kimberly A. Loveless, D.O., )

Respondent. )

**COMPLAINT**

\*\*\*

\*\*\*

\*\*\*

COMES NOW, the Complainant, North Dakota Board of Medicine – Investigative Panel A, and for its Complaint against the Respondent, Kimberly A. Loveless, alleges and states as follows:

I.

Investigative Panel A of the North Dakota Board of Medicine (“Board”) is authorized pursuant to N.D.C.C. Chapter 43-17.1 to conduct investigations related to the practice of any physician licensed to practice in this state and file a formal complaint against any licensed physician with the Board of Medicine.

II.

Kimberly A. Loveless, D.O., is a physician licensed to practice medicine in the State of North Dakota.

FACTS

III.

At all times mentioned herein, Respondent practiced medicine as a psychiatrist with the Air Force, in Arkansas.

IV.

On May 6, 2017, Respondent was arrested for driving while intoxicated and reckless driving. Respondent submitted to a breathalyzer test and the results of that test showed Respondent's blood alcohol level was .23.

V.

Respondent is subject to disciplinary action pursuant to the provisions of N.D.C.C. § 43-17-30.1 based upon Respondent's violations of the North Dakota Medical Practice act, by engaging in the habitual use of alcohol as proscribed by N.D.C.C. § 43-17-31 (1)(d), and/or by engaging in conduct that is dishonorable, unethical, or unprofessional, and that is likely to deceive, defraud, or harm the public as proscribed by N.D.C.C. § 43-17-31(1)(f).

WHEREFORE, Complainant respectfully requests Respondent, Kimberly A. Loveless, D.O., be disciplined for her violations of N.D.C.C. § 43-17-31 and seeks an appropriate sanction(s) for those violations as authorized by N.D.C.C. § 43-17-30.1. Complainant also respectfully requests that the Board be awarded its costs and attorney's fees in having to bring this action pursuant to N.D.C.C. § 43-17-31.1.

**NOTICE:** Respondent must answer this Complaint within twenty days after service of the complaint or the allegations may be deemed admitted and may result in a default order revoking the subject license. Such answer must be served in the manner allowed for service under the North Dakota Rules of Civil Procedure.

Dated this 9<sup>th</sup> day of August, 2017.

By Stacy M. Moldenhauer

Stacy M. Moldenhauer (ID #06293)  
Special Assistant Attorney General  
smoldenhauer@smithporsborg.com  
122 E. Broadway Avenue  
P.O. Box 460  
Bismarck, ND 58502-0460  
Phone: (701) 258-0630  
Facsimile: (701) 258-6498

Attorney for: North Dakota Board of  
Medicine- Investigative Panel A