

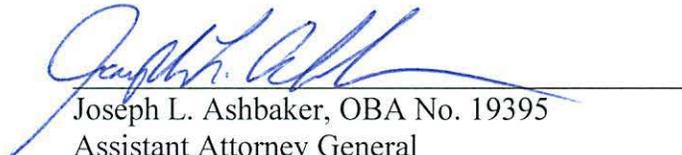
5. The Defendant admitted that in June of 2013 he had a “lapse in sanity” and began stealing Hydrocodone from the homes of some of his patients. The Defendant admitted to stealing a total of two (2) to four (4) doses of Hydrocodone on one (1) or two (2) occasions from four different patients. The Defendant also admitted he began taking Suboxone to help him with his “addiction to Hydrocodone.”
6. At the conclusion of the interview with Board Investigator RD, the Defendant voluntarily signed an Agreement not to Practice.
7. On or about October 1, 2013, the Defendant was arrested by the Ponca City Police Department for Felony Eluding, DUI Drugs and Possession of a Firearm While Intoxicated.
8. On April 14, 2014, the Defendant pled guilty to these violations and received a two (2) year deferred sentence.
9. On or about June 10, 2014, in a follow-up interview with Board Investigator RD, the Defendant admitted he was guilty of these charges, but that he had very little memory of the incident because he had taken Soma which he had “borrowed” from a friend.
10. In light of these facts, the Defendant committed unprofessional conduct by:
 - a) Used drugs, narcotics, medication, or intoxicating liquors to an extent which affects the professional competency of the applicant or licensee in violation of 59 O.S. §887.13(4);
 - b) Been grossly negligent in the practice of physical therapy or in acting as a physical therapist assistant in violation of 59 O.S. §887.13(7);;
 - c) Habitual intemperance or the habitual use of habit-forming drugs in violation of Okla. Admin. Code § 435:20-5-8(b)(2);
 - d) Conviction or confession of a crime involving violation of the laws of this state in violation of Okla. Admin. Code § 435:20-5-8(b)(4);
 - e) Dishonorable or immoral conduct that is likely to deceive, defraud, or harm the Public in violation of Okla. Admin. Code § 435:20-5-8(b)(5);
 - f) Any conduct which potentially or actually jeopardizes a patient's life, health or safety in violation of Okla. Admin. Code § 435:20-5-8(b)(9);
 - g) Negligence while in practice of physical therapy or violating the "Standards of Ethics and Professional Conduct" adopted by the Board in violation of Okla. Admin. Code § 435:20-5-8(b)(12);.

- h) Habitual intemperance or addicted use of any drug, chemical or substance that could result in behavior that interferes with the practice of physical therapy and the responsibilities of the licensee in violation of Okla. Admin. Code § 435:20-5-8(b)(13); and
- i) Unauthorized possession or use of illegal or controlled substances or pharmacological agents without lawful authority or prescription by an authorized and licensed independent practitioner of the State of Oklahoma in violation of Okla. Admin. Code § 435:20-5-8(b)(14).

Conclusion

WHEREFORE, the Plaintiff respectfully 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 and any other appropriate action with respect to Defendant's professional license, and an assessment of costs and attorney's fees incurred in this action as provided by law.

Respectfully submitted,



Joseph L. Ashbaker, OBA No. 19395
Assistant Attorney General
101 NE 51st Street
Oklahoma City, Oklahoma 73105
Phone: (405) 962-1400
Fax: (405) 962-1499

*Attorney for the State of Oklahoma, ex rel.
Oklahoma State Board of Medical
Licensure and Supervision*