

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

**FILED**

STATE OF OKLAHOMA, *ex rel.* )  
THE OKLAHOMA BOARD )  
OF MEDICAL LICENSURE )  
AND SUPERVISION, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
THOMAS K. JENKINS, P.T.A, )  
LICENSE NO. PTA1141 )  
 )  
Defendant. )

JUL - 8 2014

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Case No: 13-08-4790

**COMPLAINT**

The State of Oklahoma, *ex rel.* the Oklahoma State Board of Medical Licensure and Supervision (the "Board"), and for its Complaint against the Defendant, Thomas K. Jenkins, P.T.A, alleges and states as follows:

1. This Board is the duly authorized State agency empowered to license and oversee the activities of physical therapist assistants in the State of Oklahoma pursuant to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act, 59 O.S. 2011 & Supp. 2013, §§ 480-518.1, and the Physical Therapy Practice Act, 59 O.S. 2011 & Supp. 2012, §§ 887.1-887.18.
2. The Defendant holds Physical Therapist Assistant License No. PTA 1141.

**Current Allegations of Unprofessional Conduct**

3. This case initiated on or about August 1, 2013, when the Defendant's employer reported home health patients had made complaints of prescription medications missing from their homes.
4. On or about August 30, 2013, Board Investigator RD interviewed the Defendant at the Board offices. The Defendant stated he was an alcoholic who had been attending AA meetings "off and on since 1989" and had recently "developed a problem with Hydrocodone" after a medical procedure.

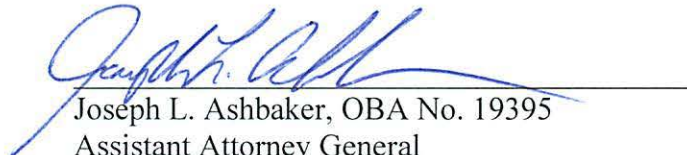
5. The Defendant admitted that in June of 2013 he had a “lapse in sanity” and began stealing Hydrocodone from the homes of some of his patients. The Defendant admitted to stealing a total of two (2) to four (4) doses of Hydrocodone on one (1) or two (2) occasions from four different patients. The Defendant 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,



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