

IN AND BEFORE THE OKLAHOMA BOARD OF
MEDICAL LICENSURE AND SUPERVISION

STATE OF OKLAHOMA

IN THE MATTER OF THE)
APPLICATION OF)
)
CHARLES JOHNNY DAY)
)
FOR REINSTATEMENT OF)
PHYSICAL THERAPY LICENSE.)

FINAL ORDER REINSTATING LICENSE WITH
TERMS OF PROBATION

This matter came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on July 27, 1996, at the offices of the Board, 5104 North Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and rules of the Board.

The Applicant appeared before the Board in person without counsel.

The Board of Medical Licensure and Supervision heard testimony, reviewed the application and all attached exhibits, and being fully apprised of the premises, made the following Findings of Fact:

FINDINGS OF FACT

1. That the Applicant is applying for reinstatement of licensure in Oklahoma as a physical therapist.
2. That the Board of Medical Licensure and Supervision has jurisdiction over the subject matter herein and that notice has been given in all respects as required by law and the rules of the Board.
3. That following notice and hearing on October 1, 1993, Applicant's Oklahoma Physical Therapy License Number PT1193 was revoked.
4. Subsequently, Applicant submitted an application for reinstatement of licensure.
5. That the Applicant's license should be reinstated and placed on a two (2) year probation to the Board under the terms and conditions set forth hereunder.

CONCLUSIONS OF LAW

1. The Oklahoma Board of Medical Licensure and Supervision has authority under 59 O.S. §887.5 of the Physical Therapy Practice Act, to hear an application for licensure.

ORDER

It is therefore ORDERED by the Board of Medical Licensure and Supervision that the application of Charles Johnny Day, for reinstatement of licensure in Oklahoma as a physical therapist should be and the same is hereby GRANTED under the following terms and conditions, to-wit:

1. That Mr. Day shall begin a two (2) year probation under the following terms and conditions:

(a) Mr. Day will conduct his practice in compliance with the Oklahoma Physical Therapy 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 Mr. Day until clarification of interpretation is received by Mr. Day from the Board.

(b) Mr. Day will not allow the initiation of any therapeutic regimen by any personnel under his supervision unless Mr. Day is in the immediate geographic vicinity of said personnel.

(c) During the period of probation, Mr. Day will furnish to each and every state in which he holds licensure or applies for licensure and hospitals, clinics or other institutions in which he holds or anticipates holding any form of staff privilege, a copy of the Board Order stipulating sanctions imposed by the Board.

(d) During the period of probation, Mr. Day will not supervise a physical therapist assistant.

(e) During the period of probation Mr. Day will submit biological fluid specimens to include, but not limited to blood and urine, for analysis, upon request of the Board or its designee, and Mr. Day will pay for the analysis thereof.

(f) During the period of probation Mr. Day will not prescribe, administer or dispense any medications for personal use.

(g) During the period of probation Mr. Day will keep the

Board informed of his current address.

(h) During the period of probation Mr. Day will keep current payment of all assessment by the Board for prosecution, investigation and monitoring of his case.

(i) Until such time as all indebtedness to the Board has been satisfied, Mr. Day will reaffirm said indebtedness in any and all bankruptcy proceedings.

(j) A copy of this written order should be sent to Mr. Day as soon as it is processed.

DATED this 8 day of August, 1996.

Gerald C. Zumwalt, M.D.
GERALD C. ZUMWALT, M.D., SECRETARY
Board of Medical Licensure
and Supervision

CERTIFICATE OF MAILING

This is to certify that on this 9 day of August, 1996, a true and correct copy of this order was mailed, postage prepaid, to:

Charles Johnny Day, PT
RT. 3 BOX 344
TAHLEQUAH, OK 74464

Janet L Owens
Janet Owens, Secretary