

5. Based on the allegations stated above, Defendant is guilty of unprofessional conduct as follows:


- A. He is guilty of dishonest or unethical conduct in violation of 59 O.S. §2040(5).
- B. He has engaged in conduct which potentially or actually jeopardizes a patient's life, health or safety in violation of OAC 435:45-5-3(3).
- C. He has been guilty of unprofessional conduct as defined by the rules established by the Board, or of violating the code of ethics adopted and published by the Board in violation of 59 O.S. §2040(9) and OAC 435:45-5-3(21).
- D. He is guilty of inaccurate recording, falsifying or altering of patient records in violation of OAC 435:45-5-3(17).

5. These allegations raise serious concerns about Defendant's ability to practice as a respiratory therapist in the State of Oklahoma with reasonable skill and safety.

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

Dated this 5th day of February, 2004.

Respectfully submitted,


Elizabeth A. Scott (OBA #12470)
Assistant Attorney General
5104 N. Francis, Suite C
Oklahoma City, OK 73154
Attorney for State ex rel.
Oklahoma Board of Medical Licensure and
Supervision