

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, )

APR 01 2004

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Plaintiff, )

v. )

Case No. 03-12-2748

STEVEN THOMAS THORNTON, R.C., )  
LICENSE NO. 1207 )

Defendant. )

**FINAL ORDER OF SUSPENSION**

This cause came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the "Board") on March 25, 2004, at the office of the Board, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Elizabeth A. Scott, Assistant Attorney General, appeared for the plaintiff and defendant appeared in person and pro se.

The Board *en banc* after hearing arguments of counsel, reviewing the exhibits admitted and the sworn testimony of witnesses, and being fully advised in the premises, found that there is clear and convincing evidence to support the following Findings of Fact, Conclusions of Law and Orders:

***Findings of Fact***

1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of respiratory care therapists in the State of Oklahoma pursuant to 59 Okla. Stat. §480 *et seq.* and 2026 *et seq.*

2. The Board has jurisdiction over this matter, and notice has been given in all respects in accordance with law and the rules of the Board.

3. Defendant, Steven Thomas Thornton, R.C., holds respiratory care license no. RC1207 in the State of Oklahoma.

4. On or about October 19, 2003, Defendant was working as a respiratory therapist at St. Francis Hospital in Tulsa, Oklahoma. During his shift, he was assigned numerous patients upon whom he was to perform respiratory therapy, including Patient A. According to his personal treatment notes, he charted that he gave respiratory treatment at 8:10 a.m. and again at 12:20 p.m. However, after the patient's family complained that no treatment had been given, Defendant admitted that he had not administered the treatment and that he had in fact falsified the patient's chart. St. Francis subsequently terminated Defendant based upon falsification of patient records and potential billing fraud.

5. During the course of the investigation of the incident described in paragraph 4 above, Defendant admitted that he had previously falsified patient records.

6. 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).

### *Conclusions of Law*

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act and the Respiratory Care Practice Act and their applicable regulations. The Board is authorized to enforce the Acts as necessary to protect the public health, safety and welfare.

2. 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).

3. The Board further found that the Defendant's license should be suspended based upon any or all of the violations of the unprofessional conduct provisions of 59 O.S. §2040 (5) and (9) and OAC Title 435:45-5-3 (3), (17) and (21).

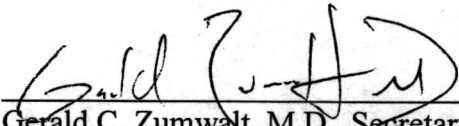
### *Order*

IT IS THEREFORE ORDERED by the Oklahoma State Board of Medical Licensure and Supervision as follows:

1. The license of Defendant, Steven Thomas Thornton, R.C., Oklahoma license no. 1207, is hereby **SUSPENDED** for a period of six (6) months from March 25, 2004.
2. For a period of two (2) years after the conclusion of the term of his suspension, Defendant shall submit quarterly reports from his supervisor to the Board Secretary for his review.
3. Failure to meet any of the terms of this Board Order will constitute cause for the Board to initiate additional proceedings to suspend, revoke or modify Defendant's license after due notice and hearing.
4. Promptly upon receipt of an invoice for such charges, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and investigation costs.

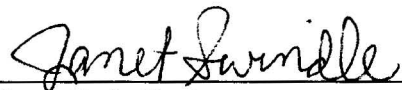
5. Defendant's suspended license shall not be reinstated unless Defendant has reimbursed the Board for all taxed costs and expenses incurred by the State of Oklahoma.

Dated this            day of April, 2004.

  
Gerald C. Zumwalt, M.D., Secretary  
Oklahoma State Board of Medical  
Licensure and Supervision

**CERTIFICATE OF SERVICE**

I certify that on the 2 day of April, 2004, I mailed, via first class mail, postage prepaid, a true and correct copy of this Order to Steven Thornton, 508-H E. Madison Avenue, Broken Arrow, OK 74012.

  
Janet Swindle