

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

MAR 30 2006

STATE OF OKLAHOMA, ex rel.,
OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE AND
SUPERVISION,

Plaintiff,

vs.

JENNIFER DAWN KING, PTA
LICENSE NO. TA1209,

Defendant.

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

CASE NO. 06-01-3048

COMPLAINT

COMES NOW the plaintiff, the State of Oklahoma ex rel. the Oklahoma State Board of Medical Licensure and Supervision (the "Board"), by and through its attorney, Elizabeth A. Scott, Assistant Attorney General, and for its Complaint against the Defendant, Jennifer Dawn King, PTA, alleges and states as follows:

1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physical therapy assistants in the State of Oklahoma pursuant to 59 O.S. §§ 480 *et seq.* and 887.1 *et seq.*

2. Defendant, Jennifer Dawn King, PTA holds physical therapy assistant license no. TA1209 in the State of Oklahoma.

3. On or around January 9, 2006, while working for Southwestern Home Health, Defendant was performing physical therapy services in the home of Patient MSW. During this visit, Defendant stole Lortab from Patient MSW for the personal use of Defendant. Defendant subsequently admitted to Board investigators that she had stolen Lortab from Patient MSW at least four (4) to five (5) additional times.

4. Due to these incidents, on or about January 12, 2006, Defendant was suspended without pay by her employer.

5. From January 12, 2006 until January 18, 2006, Defendant obtained treatment at Brookhaven Hospital for substance abuse. During treatment, Defendant admitted taking 15-20

Lortab 10 mg. tablets per day, as well as OxyContin, six (6) Soma 350 mg. per day, and Amitriptyline 250 mg. per day.

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

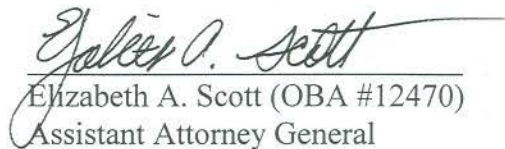
- A. Used ... intoxicating liquors to an extent which affects the professional competency of the licensee in violation of 59 O.S. §887.13(4).
- B. Is guilty of conduct unbecoming a person licensed as a physical therapist or physical therapy assistant or guilty of conduct detrimental to the best interests of the public or his profession in violation of 59 O.S. §887.13(9).
- C. Is guilty of any act in conflict with the ethics of the profession of physical therapy in violation of 59 O.S. §887.13(10).
- D. Is guilty of dishonorable or immoral conduct that is likely to deceive, defraud, or harm the public in violation of OAC 435:20-5-8(b)(5).
- E. Is guilty of habitual intemperance or habitual use of habit-forming drugs in violation of OAC 435:20-5-8(b)(2).
- F. Is guilty of habitual intemperance ... [to any] substance that could result in behavior that interferes with the practice of physical therapy and the responsibilities of the licensee in violation of OAC 435:20-5-8(b)(13).
- G. Engaged in the 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 OAC 435:20-5-8(b)(14).
- H. Has violated any provision of the Physical Therapy Practice Act or the rules and regulations of the board or of an action, stipulation, agreement or order of the Board in violation of OAC 435:20-5-8(b)(31).

7. These allegations raise serious concerns about Defendant's ability to practice as a physical therapy assistant 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 physical therapy assistant in the State of Oklahoma.

Dated this 30th day of March, 2005.

Respectfully submitted,

A handwritten signature in cursive script, reading "Elizabeth A. Scott", written over a horizontal line.

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