

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

FILED

SEP 14 2023

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

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

Plaintiff,)

vs.)

JOHN EDWARDS, O.A.,)
LICENSE NO. OA 1580,)

Defendant.)

Case No. 23-06-6231

ORDER ACCEPTING
VOLUNTARY SUBMITTAL TO JURISDICTION


The State of Oklahoma, *ex rel.* Oklahoma State Board of Medical Licensure and Supervision ("Board"), by and through the Joseph L. Ashbaker, Assistant Attorney General, for the State of Oklahoma ("State") and the staff of the Board, as represented by the Secretary of the Board, Billy H. Stout, M.D., and the Executive Director of the Board, Lyle Kelsey, along with John Edwards, O.A. ("Defendant"), Oklahoma Occupational Therapy Assistant License no. 1580, who appears in person, (collectively, the "Parties"), and offer this Order Accepting Voluntary Submittal to Jurisdiction (herein, "Order" or "Agreement") for acceptance by the Board. Okla. Admin. Code § 435:5-1-5.1.

By voluntarily submitting to jurisdiction and entering into this Order, Defendant admits to the allegations herein contained and further acknowledges that a hearing before the Board could result in some sanction under the Oklahoma Occupational Therapy Practice Act ("Act"). 59 O.S. § 888. 1, et seq.

Defendant, John Edwards, .O.A., states that he is of sound mind and is not under the influence of, or impaired by, any medication or drug and that he fully recognizes his right to appear before the Board for an evidentiary hearing on the allegations made against him. Defendant hereby voluntarily waives his right to a full hearing, submits to the jurisdiction of the Board and agrees to abide by the terms and conditions of this Order. Defendant acknowledges that he has read and understands the terms and conditions stated herein, and that this Agreement may be reviewed and discussed with him by legal counsel prior to execution.

If the Board does not accept this Order, the Parties stipulate that it shall be regarded as null and void. Admissions by Defendant herein, if any, shall not be regarded as evidence against

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him in a subsequent disciplinary hearing. Defendant will be free to defend himself and no inferences will be made from his willingness to have this Order accepted by the Board. The Parties stipulate that neither the presentation of this Order nor the Board's consideration of this Order shall be deemed to have unfairly or illegally prejudiced the Board or its individual members and, therefore, shall not be grounds for precluding the Board nor any individual Board member from further participation in proceedings related to the matters set forth herein.

Findings of Fact

Plaintiff, Defendant and the Board staff each stipulate and agree as follows:

1. In Oklahoma, Defendant holds the Occupational Therapy Assistance License Number 1580.
2. Defendant was required to attend and successfully complete twenty (20) hours of approved continuing education courses between November 1, 2020 and October 31, 2022. Defendant failed to complete his CME requirements. Further, phone calls and emails attempting to contact Defendant inquiring as to the status of his CME went unanswered. Defendant did answer "No" on his license renewal to the question "U. Have you obtained 20 hours of approved continuing education and have all the documentation to verify these hours?"

Conclusions of Law

3. The Board has jurisdiction over the subject matter and is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of Occupational Therapists and Occupational Therapy Assistants in the State of Oklahoma. 59 O.S. 2011, § 887.1 et seq. Okla. Admin. Code §§ 435:1-1-1 et seq.
4. 5. Notice was given as required by law and the rules of the Board. 59 O.S. 2011, § 504 and Okla. Admin. Code §§ 435:3-3-5; 435:3-3-6.
5. 6. The Board is authorized to suspend, revoke or order any other appropriate sanctions against the license of any Occupational Therapist and Occupational Therapy Assistant holding a license to practice medicine in the State of Oklahoma for unprofessional conduct. 59 O.S. 888.1 et seq. Okla. Admin. Code § 435:30-1-1 et seq.
6. Based on the foregoing, Defendant is guilty of unprofessional conduct as follows:
 - a. Continuing education for renewal of licensure has been established to require therapists' involvement in activities which keep their skills and knowledge of current practice up to date. A point is the equivalent of 1 contact hour. Twenty contact hours every 2 years will be required, in violation of OAC 435:30-1-5(b)(1).

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- b. Violation of any provision(s) of the Occupational Therapy Practice Act or the rules and regulations of the board in violation of Okla. Admin. Code 435: 30-1-10(a)(28) and 59 O.S. §888.9(4) and (5).
- c. All Occupational Therapy Personnel shall: Achieve and continually maintain high standards of competence. (Duties), in violation of OAC 435:30-1-10(C)(4).

Orders


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

1. The Board hereby adopts the Agreement of the Parties in this Order Accepting Voluntary Submittal to Jurisdiction, including the findings of fact and conclusions of law stated herein.
2. **JOHN EDWARDS, O.A.**, Oklahoma Occupational Therapy Assistant license no. 1580, is hereby formally **REPRIMANDED**.
3. **JOHN EDWARDS, O.A.**, shall pay a fine of \$500.00 within 10 months of this Order being entered.
4. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees, investigation costs, staff time, salary and travel expenses, witness fees and attorney's fees within 10 months of this Order.
5. A copy of this Order shall be provided to Defendant as soon as it is processed.


Dated this 14th day of SEPTEMBER, 2023.




 Billy H. Stout, M.D., Board Secretary
 OKLAHOMA STATE BOARD OF
 MEDICAL LICENSURE AND SUPERVISION

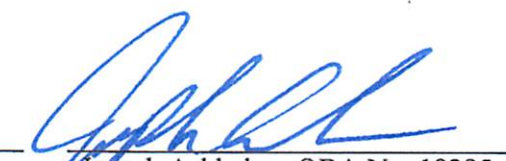


 Steven Katsis, M.D., President
 OKLAHOMA STATE BOARD OF
 MEDICAL LICENSURE AND SUPERVISION

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John Edwards, O.A.
Oklahoma License No. 1580
Defendant Pro Se


Joseph Ashbaker, OBA No. 19395
30107 Assistant Attorney General
STATE OF OKLAHOMA,
OFFICE OF ATTORNEY GENERAL
Attorney for Plaintiff,
Oklahoma State Board of Medical
Licensure and Supervision



ACKNOWLEDGMENT

STATE OF OKLAHOMA)
) ss.
COUNTY OF _____)

This instrument was acknowledged before me on the _____ day of _____,
_____, by John Edwards.


Notary Public
Commission Expiration: _____

Certificate of Service

This is to certify that on the 15th day of September, 2023, a true and correct copy
of this Order was transmitted as indicated, postage prepaid, to the following:

U.S. Certified Mail
John Edwards, O.A.
2800 Hickory Street
Claremore, OK 74017
Defendant

E-Mail
Joseph Ashbaker, AAG
State of Oklahoma
Office of Attorney General
313 N.E. 21st Street
Oklahoma City, Oklahoma 73105
(405) 522-0113
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Attorney for Plaintiff,
Oklahoma State Board of Medical
Licensure and Supervision

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Voluntary Submittal to Jurisdiction; **23-06-6231**
JOHN EDWARDS, OA, #1580