

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,)
)
Plaintiff,)
)
v.)
)
KAREN COX,)
P. T. A. LICENSE NO. TA160)
)
Defendant.)

MAR 09 2000

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 99-09-2109

VOLUNTARY SUBMITTAL TO JURISDICTION AND ORDER

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 for the State of Oklahoma and the staff of the Board, as represented by the Secretary of the Board, Gerald C. Zumwalt, M.D., and the Executive Director of the Board, Lyle Kelsey, and the Defendant, Karen Cox, P.T.A. License No. TA160, who appears in person, without an attorney, proffer this Agreement for acceptance by the Board *en banc* pursuant to Section 435:5-1-5.1 of the Oklahoma Administrative Code ("OAC").

Agreement and Acknowledgment by Defendant

By voluntarily submitting to jurisdiction and entering into this Order, Defendant pleads guilty to the allegations in the Complaint and Citation filed herein on November 23, 1999 and acknowledges that hearing before the Board would result in some sanction under the Physical Therapy Practice Act (the "Act").

Defendant, Karen Cox, P.T.A., states that she is of sound mind and is not under the influence of, or impaired by, any medication or drug and that she fully recognizes her right to appear before the Board for evidentiary hearing on the allegations made against her. Defendant hereby voluntarily waives her 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 further acknowledges that she is entitled to have her interests represented by legal counsel and that she has elected to proceed without legal representation, thereby waiving her right to an attorney. Defendant acknowledges that she has read and understands the terms and conditions stated herein.

Parties' Agreement and Stipulations

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

Findings of Fact

1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physical therapists in the State of Oklahoma pursuant to 59 Okla. Stat. §887.1 *et seq.*

2. Defendant, Karen Cox, P.T.A., is a licensed physical therapy assistant in the State of Oklahoma, holding license no. TA160.

3. On or about June 19, 1996, the Board Secretary issued a Letter of Concern to Defendant based upon allegations that she was performing functions of a physical therapist without supervision.

4. From July 1, 1999 through July 22, 1999, Defendant signed patient charts as "K.Cox RPT", thereby representing that she was a licensed physical therapist rather than a physical therapy assistant.

5. On or about July 6, 1999, Defendant changed orders on a patient's treatment plan without instructions from a licensed physical therapist.

6. Upon information and belief, from June 30, 1999 through July 12, 1999, Defendant practiced without a licensed physical therapist supervisor registered with the Oklahoma State Board of Medical Licensure and Supervision.

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

- A. She has practiced other than under the direction and supervision of a licensed physical therapist pursuant to 59 O.S. §887.13(1).
- B. She has been guilty of conduct unbecoming a person licensed as a physical therapist or physical therapist assistant or guilty of conduct detrimental to the best interests of the public or her profession pursuant to 59 O.S. §887.13(9), including, but not limited to, violation of OAC 435:20-7-1(d)(2).
- C. She has been guilty of any act in conflict with the ethics of the profession of physical therapy pursuant to 59 O.S. §887.13(10).

- D. She has represented herself as a physical therapist without a physical therapist license pursuant to 59 O.S. §887.16 (A).

Conclusions of Law

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Physical Therapy Practice Act (the "Act") and its applicable regulations. The Board is authorized to enforce the Act as necessary to protect the public health, safety and welfare.

2. Defendant, Karen Cox, P.T.A., Oklahoma License No. TA160, by reason of the above facts, is guilty of unprofessional conduct under the Physical Therapy Practice Act in that:

- A. She has practiced other than under the direction and supervision of a licensed physical therapist pursuant to 59 O.S. §887.13(1).
- B. She has been guilty of conduct unbecoming a person licensed as a physical therapist or physical therapist assistant or guilty of conduct detrimental to the best interests of the public or her profession pursuant to 59 O.S. §887.13(9), including, but not limited to, violation of OAC 435:20-7-1(d)(2).
- C. She has been guilty of any act in conflict with the ethics of the profession of physical therapy pursuant to 59 O.S. §887.13(10).
- D. She has represented herself as a physical therapist without a physical therapist license pursuant to 59 O.S. §887.16 (A).

Order

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

1. The Board *en banc* hereby adopts the agreement of the parties in this Voluntary Submittal to Jurisdiction.

2. The Oklahoma Physical Therapy Assistant license of Defendant, Karen Cox, license no. TA160 is **SUSPENDED** for a period of 30 days beginning March 9, 2000.

3. Pursuant to the parties' voluntary agreement and submittal to jurisdiction, Karen Cox, P.T.A., holding Oklahoma License No. TA160, is hereby placed on **PROBATION** for a period of one (1) year following her suspension under the following terms and conditions:


- a.. Defendant will conduct her practice in compliance with the Physical Therapy Practice Act as interpreted by the Board. Any question of interpretation regarding the Act or this Order shall be submitted in writing to the Board, and no action based on the subject of the question will be taken by Defendant until clarification of interpretation is received by Defendant from the Board.
- b. Defendant will furnish to each and every state in which she holds licensure or applies for licensure and to each and every hospital, clinic or other institution in which she holds or anticipates holding any form of staff privileges or employment a copy of this Order stipulating sanctions imposed by the Board.
- c. Defendant will immediately file a new Form 5 with the Oklahoma State Board of Medical Licensure and Supervision.
- d. All forms, charts, progress notes and other documents related to the practice of physical therapy signed by the Defendant shall also be signed by Defendant's supervisor as set forth on her Form 5.
- e. Defendant shall obtain quarterly reports from her supervising physical therapist setting forth her compliance with the Physical Therapy Practice Act for submission to the Physical Therapy Advisory Committee for its review. The first report shall be due on or before June 30, 2000. It shall be the responsibility of the Defendant to insure that these reports are submitted to the Physical Therapy Advisory Committee on a timely basis.
- f. All charts signed by Defendant shall be subject to a random audit by the Compliance Consultant or his

designee. Said charts shall be reviewed by the Physical Therapy Advisory Committee at its next regularly scheduled meeting after the records have been retrieved.

- g. Defendant shall make a personal appearance before the Physical Therapy Advisory Committee at the end of her probationary term.
- h. The burden of supplying all forms, reports and charts as set forth herein shall be on the Defendant, and any failure to submit the required documents to the Physical Therapy Advisory Committee on a timely basis shall be grounds for requiring a personal appearance by the Defendant based upon noncompliance with this Agreement.
- i. Defendant will keep the Board informed of her current address.
- j. Defendant will keep current payment of all assessments made by the Board for costs of prosecution, investigation and monitoring of her case.
- k. Until such time as all indebtedness to the Board has been satisfied, Defendant will reaffirm said indebtedness in any and all bankruptcy proceedings.

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, and shall keep current all payments for monitoring her compliance with this agreement.

Dated this 9 day of March, 2000.]



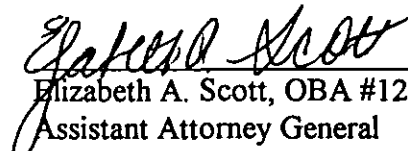
Billy Stout, M.D., President
Oklahoma State Board of Medical
Licensure and Supervision

AGREED AND APPROVED:



Karen Cox, P.T.A.
License No. TA160

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



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Attorney for the Oklahoma State Board
of Medical Licensure and Supervision

CERTIFICATE OF MAILING

I certify that on the 13th day of March, 2000, I mailed a true and correct copy of the Order accepting Voluntary Submittal to Jurisdiction to Karen Cox, TA160 14521 Buggy Lane, Jones, OK 73049.



Janet Owens, Secretary