

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

FILED

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

Plaintiff,)

vs.)

TOD IRWIN ESTES, P.A.)
LICENSE NO. PA1653)

Defendant.)

MAY 23 2014
OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 14-04-4965

COMPLAINT FOR UNPROFESSIONAL CONDUCT

Plaintiff, State of Oklahoma *ex rel.* the Oklahoma State Board of Medical Licensure and Supervision (the “Board”), states as follows for its Complaint against Tod Irwin Estes, P.A. (“Defendant”):

1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physician assistants in the State of Oklahoma pursuant to 59 Okla. Stat. §§ 480 *et seq.* and 519.1 *et seq.* and Oklahoma Administrative Code (“OAC”) 435:111 *et seq.*
2. Defendant, Tod Irwin Estes, P.A., holds Oklahoma Physician Assistant license no. PA1653 and is authorized to practice as a physician assistant in the state of Oklahoma.
3. Defendant was required to complete twenty (20) hours of continuing education in a timely manner for the 2013 renewal of his license. Defendant failed to complete the required twenty (20) hours and, therefore, was then required to complete a total of forty (40) hours of continuing education no later than December 13, 2013 in order to renew his license by March 31, 2014.
4. Defendant failed to complete the forty (40) hours by December 31, 2013.

5. Title 59 O.S. 2011 § 519.8(A) states:

“Licenses issued to the physician assistants shall be renewed annually on a date determined by the State Board of Medical Licensure and Supervision. Each application for renewal shall document that the physician assistant has earned at least twenty (20) hours of continuing medical education during the preceding calendar year.”

6. Further OAC Section 435:15-3-17(d) states:

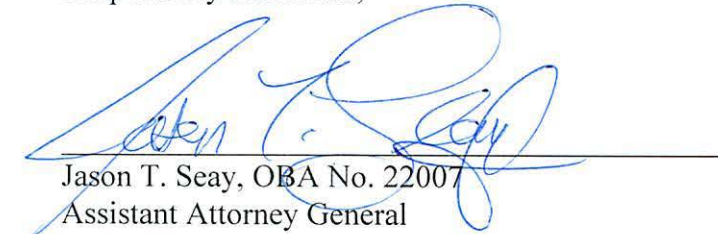
“Any applicant for renewal who does not meet the requirements for continuing education by December 31 of the previous calendar year may not renew until deficient hours are obtained and verified. Additionally, within the next calendar year the licensee will be required to obtain forty (40) hours of Category 1 CME. Failure to meet those additional requirements will result in further disciplinary action.”

7. Defendant is guilty of unprofessional conduct for:

- a) Failing to timely make and application for renewal in violation of Oklahoma Administrative Code Section 435:15-5.6; and
- b) Violating any provision of the Medical Practice Act or the rules promulgated by the Board Oklahoma Administrative Code Section 435:15-5.7.

Given the foregoing, the undersigned requests that a hearing be conducted and upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation and any other appropriate action with respect to Defendant’s medical license, and an assessment of costs and attorney’s fees incurred in this action as provided by law.

Respectfully submitted,



Jason T. Seay, OBA No. 22007
Assistant Attorney General
General Counsel Section
313 N.E. 21st Street
Oklahoma City, Oklahoma 73105

Mailing Address:
101 N.E. 51st Street
Oklahoma City, OK 73105
Phone: (405) 962-1400
Fax: (405) 962-1499

*Attorney for State of Oklahoma ex rel.
The Oklahoma State Board of Medical
Licensure and Supervision*