

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

FILED

JAN 25 2007

STATE OF OKLAHOMA)
EX REL. THE OKLAHOMA BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff,)

v.)

Case No. 06-12-3215

VICKIE TROLENE FORD-CRUZ, R.C.,)
LICENSE NO. RC1826,)

Defendant.)

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, Vickie Trolene Ford-Cruz, RC, 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 respiratory care practitioners in the State of Oklahoma pursuant to 59 Okla. Stat. §480 *et seq.* and 2026 *et seq.*

2. Defendant, Vickie Trolene Ford-Cruz, R.C., holds Oklahoma respiratory care license no. RC1826 and is authorized to practice as a respiratory care practitioner.

3. On or about September 6, 2006, Defendant submitted her Application for Renewal of Oklahoma Respiratory Care Practitioner License. With respect to the question on whether or not she had obtained the required twelve (12) hours of Continuing Respiratory Care Education, Defendant stated as follows:

"I certify that I have obtained 13.2 hours of Board approved continuing education. I have the original documentation in my possession to verify these hours."

4. As part of her Application for Renewal, Defendant submitted documentation as proof that she had obtained the required continuing education, specifically, an August 11, 2005 Verification of Activity Completion for 7.2 hours from the Outreach Education Council for Critical Care at the Maine Medical Center for "Clinical Trends in Respiratory Care: Advances & Challenges".

5. According to the Outreach Education Council for Critical Care at the Maine Medical Center, there is **no** record of Defendant's attendance at the "Clinical Trends in Respiratory Care" program. Additionally, the actual program was held on **September 29, 2000**, and **not** on August 11, 2005.

6. As part of her Application for Renewal, Defendant submitted documentation as proof that she had obtained the required continuing education, specifically, a January 18, 2006 Certificate of Continuing Medical Education for sixteen (16) hours from the Eastern New Mexico University EMS Bureau for a Pediatric Advance Life Support class.

7. According to the Eastern New Mexico University EMS Bureau, there is **no** record of Defendant in any of their databases. Further, the Certificate of Continuing Medical Education submitted by Defendant is in a different format than those certificates issued by the EMS Bureau and is inconsistent with their format.

8. Defendant's public file maintained at the Board offices reflects that Defendant submitted documentation of continuing education allegedly obtained from the Eastern New Mexico University EMS Bureau on January 21, 2001, January 21, 2004 and January 18, 2006. A cursory review of these certificates reflects that while the January 21, 2001 certificate may be authentic, the January 21, 2004 and January 18, 2006 certificates were altered and falsified from the January 21, 2001 certificate.

9. Defendant is guilty of unprofessional conduct in that she:

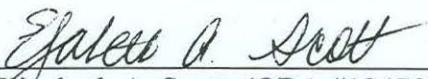
- A. Is guilty of fraud or deceit in procuring or attempting to procure a license or renewal of a license to practice respiratory care in violation of 59 O.S. §2040(1) and OAC 435:45-5-3(8).
- B. Violated any provision of the medical practice act or the rules and regulations of the Board or of an action, stipulation, agreement or order of the Board in violation of 59 O.S. §2040(9) and OAC 435:45-5-3(24).
- C. Violated any provision of the Respiratory Care Practice Act or the rules promulgated by the Board in violation of OAC 435:45-5-3(21).
- D. Falsified documents submitted to the Respiratory Care Advisory Committee or the Oklahoma State Board of Medical Licensure and Supervision in violation of OAC 435:45-5-3(7).

- E. Is guilty of dishonest or unethical conduct in violation of 59 O.S. §2040(5).
- F. Has violated or aided or abetted others in violation of any provision of the Respiratory Care Practice Act in violation of 59 O.S. §2040(8).

Conclusion

WHEREFORE, the Plaintiff respectfully 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 and any other appropriate action with respect to Defendant's respiratory care practitioner license, and an assessment of costs and attorney's fees incurred in this action as provided by law.

Respectfully submitted,



Elizabeth A. Scott (OBA #12470)
Assistant Attorney General
State of Oklahoma
5104 N. Francis, Suite C
Oklahoma City, OK 73118
Attorney for the Plaintiff