

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,)

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OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff,)

v.)

Case No. 06-11-3208

HAROLD SCOTT CHEETWOOD, R.C.,)
LICENSE NO. RC1968,)

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, Harold Scott Cheetwood, 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, Harold Scott Cheetwood, R.C., holds Oklahoma respiratory care license no. RC1968, and is authorized to practice as a respiratory care practitioner.

4. On or about May 20, 2005, Defendant was arrested by the Oklahoma Highway Patrol based upon an automobile accident which occurred on Interstate 40 in Okfuskee County, State of Oklahoma. Defendant hit another car at a speed of 91 m.p.h., at which time the driver of the other car was killed. Defendant was subsequently charged with **FIRST DEGREE MANSLAUGHTER, A FELONY**, and **TRANSPORTING AN OPEN BOTTLE OR CONTAINER OF LIQUOR, A MISDEMEANOR**. At the time of the arrest, the highway patrol found an open bottle of Vodka in Defendant's car. As a result of the arrest, Defendant submitted to a drug test, which resulted in a blood alcohol level of .16%.

5. On or about December 14, 2005, Defendant plead guilty to the charge of **FIRST DEGREE MANSLAUGHTER, A FELONY**, and was sentenced to twenty (20) years in jail, with the last ten (10) years suspended, during which time Defendant will be on probation.

Defendant is currently serving his ten (10) year jail term at the Jess Dunn Correctional Center in Taft, Oklahoma.

6. Defendant is guilty of unprofessional conduct in that he:
 - A. Is unfit or incompetent by reason of negligence, habits, or other causes of incompetency in violation of 59 O.S. §2040(2).
 - 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. Is habitually intemperate or addicted to any drug, chemical or substance which could result in behavior that interferes with the practice of respiratory care and the responsibilities of the licensee in violation of OAC 435:45-5-3(1).
 - 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).
 - G. Is habitually intemperate in the use of alcoholic beverages in violation of 59 O.S. §2040(3).
 - H. Was convicted of, or confessed or plead no contest to a felony or a crime involving moral turpitude in violation of OAC 435:45-5-3(5).

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 provisional 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