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

FILED
JUL 07 2006
OKLAHOMA STATE BOARD OF MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA, ex rel., OKLAHOMA STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION,	)
Plaintiff,	)
vs.	)
CHARLES M. NORDAN, PLPO LICENSE NO. PLPO 1,	)
Defendant.	)

CASE NO. 06-07-3133

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, Charles M. Nordan, PLPO, 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 orthotists and prosthetists in the State of Oklahoma pursuant to 59 O.S. §§ 480 *et seq.* and 3001 *et seq.*

2. On or about December 13, 2002, Defendant was issued Oklahoma Prosthetist/Orthotist License No. 51 (LPO51) pursuant to an Alternative Qualification Contract dated December 9, 2002. The contract was entered into because Defendant did not meet all of the requirements for full licensure, including the requirement that he pass written examinations in both prosthetics and orthotics.

4. On or about January 7, 2005, the Advisory Committee on Orthotics and Prosthetics met and determined that an applicant must pass an examination prior to being issued a license under an Alternative Qualification Contract. The Committee further stated that written examinations by either the Board for Orthotist/Prosthetist Certification ("BOC") or the American Board for Certification in Orthotics and Prosthetics ("ABC") would be acceptable. The Committee also stated that if the applicant had passed one of these written examinations but still did not meet all requirements for licensure, a provisional license could be issued under an Alternative Qualification Contract. At this meeting, Defendant submitted alleged scores from the

BOC showing that he had passed the written examinations for both Orthotist and Prosthetist Certification.

5. Based upon receipt of these scores from Defendant, on or about February 8, 2005, Defendant was issued a Provisional Orthotist/Prosthetist license, PLPO 1. Since he still had not met all requirements for licensure, this license remained under the terms of the Alternative Qualification Contract. Defendant's previous license no. LPO51, which had been erroneously issued prior to Defendant passing a written examination, was cancelled at this time.

6. On or about January 17, 2006, Defendant advised Bobby Tidwell, Director of Investigations for the Board, that he had taken the BOC written orthotics examination approximately one (1) year prior to moving to Oklahoma in 2002.

7. On or about February 7, 2006, Robyn Hall, Director of Licensing for the Board, contacted the BOC so as to confirm which written examinations Defendant had taken and the dates of the examinations. The BOC responded that although Defendant had taken and passed the Prosthetist written examination in November 2002, he had **never** taken the Orthotist written examination.

8. On or about February 10, 2006, Defendant appeared before the Advisory Committee on Orthotics and Prosthetics and falsely testified that he had taken the Orthotist written examination and that the BOC had sent him the scores he had previously submitted to the Committee on January 7, 2005.

9. On or about June 30, 2006, Defendant appeared before the Advisory Committee on Orthotics and Prosthetics. At this meeting, Defendant changed his previous testimony and admitted that he had in fact altered the score sheet previously submitted to the Committee showing that he had allegedly passed the BOC Orthotist written examination. Defendant also admitted that he had never taken the BOC Orthotist written examination.

10. Defendant is guilty of unprofessional conduct in that he:

A. Violated the orthotic/prosthetic standards of ethical conduct as outlined in OAC 435:55-7-3, in violation of OAC 435:55-7-2(5),

B. Falsified documents submitted to the Advisory committee on Orthotics and Prosthetics or the Oklahoma State Board of Medical Licensure and Supervision in violation of OAC 435:55-7-2(11).

C. Obtained or attempted to obtain a license, certificate or documents of any form by fraud or deception in violation of OAC 435:55-7-2(12).

D. Violated any provision of the Oklahoma Licensed Orthotist Prosthetist Act or the rules promulgated by the Board in violation of OAC 435:55-7-2(25).

11. These allegations raise serious concerns about Defendant's ability to practice as a Provisional Licensed Prosthetist/Orthotist in the State of Oklahoma with reasonable skill and safety.

WHEREFORE, plaintiff 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, the assessment of costs and fees incurred in this action, and any other appropriate action with respect to Defendant's license to practice as a Provisional Licensed Prosthetist/Orthotist in the State of Oklahoma.

Dated this 7th day of July, 2006.

Respectfully submitted,

Elizabeth A. Scott (OBA #12470)
Assistant Attorney General
5104 N. Francis, Suite C
Oklahoma City, OK 73154
Attorney for State ex rel.
Oklahoma Board of Medical Licensure and Supervision