

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

FILED

SEP 22 2006

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

Plaintiff,

v.

CHARLES M. NORDAN, PLPO,  
LICENSE NO. PLPO 1

Defendant.

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Case No. 06-07-3133

**FINAL ORDER OF REVOCATION**

This cause came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the "Board") on September 21, 2006, at the office of the Board, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Elizabeth A. Scott, Assistant Attorney General, appeared for the plaintiff and defendant appeared in person and pro se.

The Board *en banc* after hearing arguments of counsel, reviewing the exhibits admitted and the sworn testimony of witnesses, and being fully advised in the premises, found that there is clear and convincing evidence to support the following Findings of Fact, Conclusions of Law and Orders:

***Findings of Fact***

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. The Board has jurisdiction over this matter, and notice has been given in all respects in accordance with law and the rules of the Board.

3. 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 obtained BOC certification 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).

### *Conclusions of Law*

- 1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision 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 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).

3. The Board further found that the Defendant's license should be revoked based upon any or all of the violations of the unprofessional conduct provisions of OAC Title 435:55-7-3 and 55-7-2(5), (11), (12) and (25).

**Order**

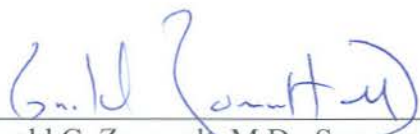
IT IS THEREFORE ORDERED by the Oklahoma State Board of Medical Licensure and Supervision as follows:

1. The license of Defendant, **CHARLES M. NORDAN, PLPO**, Oklahoma license no. PLPO 1, is hereby **REVOKED** as of the date of this hearing, September 21, 2006.

2. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and costs, investigation costs, staff time, salary and travel expenses, witness fees and attorney's fees.


3. Defendant's revoked license shall not be reinstated unless Defendant has reimbursed the Board for all taxed costs and expenses incurred by the State of Oklahoma.

Dated this 22 day of September, 2006.

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

**CERTIFICATE OF SERVICE**

I certify that on the 26 day of September, 2006, I mailed, via first class mail, postage prepaid, a true and correct copy of this Order to Charles M. Nordan, 17511 CR 1510, Ada, OK 74820.

  
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Janet Swindle