

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

**FILED**

MAY 13 2021

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

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

Plaintiff, )

v. )

Case No. 19-11-5834

RONALD GENE DUNCAN, PT )  
LICENSE NO. PT 912, )

Defendant. )

**ORDER ACCEPTING  
VOLUNTARY SUBMITTAL TO JURISDICTION**

The State of Oklahoma, *ex rel.* Oklahoma State Board of Medical Licensure and Supervision ("Board"), by and through the undersigned counsel for the Plaintiff, as represented by the Secretary of the Board, Billy H. Stout, M.D., and the Executive Director of the Board, Lyle Kelsey, along with Ronald Gene Duncan, PT ("Defendant"), Oklahoma Physical Therapy License No. OA 912, who appears in person, pro se (collectively, the "Parties"), hereby offer this Order Accepting Voluntary Submittal to Jurisdiction (herein, "Order" or "Agreement") for acceptance by the Board. Okla. Admin. Code § 435:5-1-5.1.

By voluntarily submitting to jurisdiction and entering into this Order, Defendant admits to the allegations herein contained and further acknowledges that a hearing before the Board could result in some sanction under the Oklahoma Physical Therapy Practice Act ("Act"). 59 O.S. § 887.1, *et seq.*

Defendant, Ronald Gene Duncan, states that he is of sound mind and is not under the influence of, or impaired by, any medication or drug and that he fully recognizes his right to appear before the Board for an evidentiary hearing on the allegations made against him. Defendant hereby voluntarily waives his right to a full hearing, submits to the jurisdiction of the Board and agrees to abide by the terms and conditions of this Order. Defendant acknowledges that he has read and understands the terms and conditions stated herein, and that this Agreement may be reviewed and discussed with him by legal counsel prior to execution.

If the Board does not accept this Order, the Parties stipulate that it shall be regarded as null and void. Admissions by Defendant herein, if any, shall not be regarded as evidence against him

in a subsequent disciplinary hearing. Defendant will be free to defend himself and no inferences will be made from his willingness to have this Order accepted by the Board. The Parties stipulate that neither the presentation of this Order nor the Board's consideration of this Order shall be deemed to have unfairly or illegally prejudiced the Board or its individual members and, therefore, shall not be grounds for precluding the Board nor any individual Board member from further participation in proceedings related to the matters set forth herein.

### Findings of Fact

The Plaintiff, Defendant, and the Board staff each stipulate and agree as follows:

1. On or about October 25, 2019, Defendant falsified a record indicating he had treated a patient when he had not actually treated the patient.
2. Defendant was working at RehabSource as a physical therapist and was scheduled to treat a patient. Defendant then signed a TEN/daily treatment note stating he had completed that treatment. However, a family member of the patient called Rehab/Source and stated that they had been with the patient all day and no treatment had taken place.
3. Defendant's Manager contacted Defendant as asked if he had written and signed a complete evaluation without looking or laying hands on the patient. Defendant admitted that he had. Defendant's employment was terminated and his actions were reported to the Oklahoma Board of Medical Licensure and Supervision.
4. Board Investigator Robbin Roberts spoke to Defendant, at which time Defendant admitted to the allegations, has stated that he takes responsibility for them and has, on his own accord, taken two ethic related CEU since the incident.

### Conclusions of Law

1. The Board has jurisdiction over the subject matter and is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of Physical Therapists in the State of Oklahoma. 59 O.S. §887.1, et seq. and Okla. Admin. Code 435:20-5-8.
2. Notice was provided as required by law and the rules of the Board. 75 O.S. § 309; 59 O.S. § 2041(A); Okla. Admin. Code §§ 435:30-1-11, 435:1-1-4(e), 435:3-3-5, 435:3-3-6.
3. The Board is authorized to suspend, revoke or order any other appropriate conditions against the license of any Physical Therapy Practitioner holding a license to practice in the State of Oklahoma for unprofessional conduct. 59 O.S. § 887.5(A)(8) and Okla. Admin. Code 435:20-5-8.
9. The Board is authorized to accept voluntary submittals to jurisdiction mutually agreed to by parties to a disciplinary action to resolve the action without need for a hearing. 75 O.S. § 309(E); Okla. Admin. Code § 435:5-1-5.1.
10. Based on the foregoing, Defendant is guilty of unprofessional conduct as follows:

*Bur*

- a. Been guilty of conduct unbecoming a person licensed as a physical therapist or physical therapist or physical therapist assistant or guilty of conduct detrimental to the best interests of the public or the profession in violation of 59 O.S. § 887.13(1)(9); and,
- b. Been guilty of any act in conflict with the ethics of the profession of physical therapy in violation of 59 O.S. § 887(1)(10); and
- c. Dishonorable or immoral conduct that is likely to deceive, defraud or harm the public in violation of Okla. Admin. Code § 435:20-5-8(b)(4); and
- d. Any conduct which potentially or actually jeopardizes a patient's life, health or safety in violation of Okla. Admin. Code § 435:20-5-8(b)(8); and
- e. Improper management of medical records, inaccurate recording, falsifying or altering or failing to complete documentation of patient records in violation of Okla. Admin. Code § 435:20-5-8(b)(15).

### ORDERS

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

1. The Board hereby adopts the Agreement of the Parties in this *Order Accepting Voluntary Submittal to Jurisdiction*, including the findings of fact and conclusions of law stated herein.
2. **RONALD GENE DUNCAN, PT**, Oklahoma Physical Therapy Practitioner License No. 912 is hereby formally **REPRIMANDED**.
3. Defendant will submit to supervision in his professional capacity for a period of 6 months. Defendant's supervisor, who must be approved in advance by the Board Secretary, must provide bi-monthly reports to the Board's Compliance Officer.
4. Defendant shall pay a \$500.00 fine on the day this Order is entered.
5. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees, investigation costs, staff time, salary and travel expenses, witness fees and attorney's fees.
6. A copy of this Order shall be provided to Defendant as soon as it is processed.

Dated this 13<sup>th</sup> day of MAY, 2021.

*[Handwritten signature]*

*Billy Stout*

Billy Stout, M.D., Board Secretary  
Oklahoma State Board  
of Medical Licensure and Supervision

*James M. Brinkworth*

James M. Brinkworth, M.D., President  
Oklahoma State Board  
of Medical Licensure and Supervision

*Ronald Gene Duncan*

Ronald Gene Duncan, PT  
License No. 912  
*Defendant*

*Joseph L. Ashbaker*

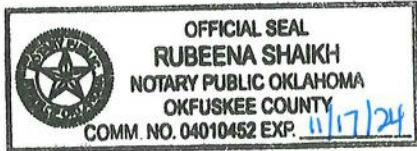
Joseph L. Ashbaker, OBA #19395  
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Office of the Attorney General  
313 NE 21<sup>st</sup> St.  
Oklahoma City, OK 73105  
Tel. 405.522.2974  
*Attorney for the State of Oklahoma*

**ACKNOWLEDGMENT**

STATE OF OKLAHOMA )  
 ) ss.  
COUNTY OF )

This instrument was acknowledged before me on the 31<sup>st</sup> day of March, 2021, by **Ronald Gene Duncan.**

Notary Public  
Commission Expiration: 11/17/2024



*Rubeena Shaikh*

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

STATE OF OKLAHOMA, *ex. rel.* )  
OKLAHOMA STATE BOARD )  
OF MEDICAL LICENSURE )  
AND SUPERVISION, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
RONALD GENE DUNCAN, P.T., )  
LICENSE NO. P.T. 2184, )  
 )  
Defendant. )

**FILED**

MAY 25 2021

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Case No. 19-11-5834

**ORDER NUNC PRO TUNC**

An Order Accepting Voluntary Submittal to Jurisdiction (“VSJ”), came on for hearing before the Board on May 13, 2021, and was accepted by the Board. The VSJ was executed by the Board Secretary and filed on May 13, 2021.

Due to scrivener’s error, the license number of Defendant is erroneously shown as 912, PT 912 or OA 912 in the VSJ. The parties have conferred and hereby request an Order Nunc Pro Tunc to correct the erroneous license number information in the VSJ.

**IT IS THEREFORE ORDERED**, the parties request is **GRANTED**. Defendant’s license number is hereby changed to P.T. 2184 throughout the VSJ.

All terms of Defendant’s VSJ, remain in full force and effect.

Dated this 25<sup>th</sup> day of MAY, 2021.



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Billy H. Stout, M.D., Board Secretary  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION

**Certificate of Service**

This is to certify that on the 26<sup>th</sup> day of May, 2021, the foregoing Order was transmitted as indicated, postage prepaid, to the following:

U.S. Certified Mail

Ronald G. Duncan  
11228 S. 89<sup>th</sup> E. Avenue  
Bixby, Oklahoma 74008

***Defendant***

U.S. First Class Mail, and E-Mail

Frank W. Frasier  
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***Attorney for Defendant,***

***Ronald G. Duncan, P.T.***

E-Mail

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***Attorney for Plaintiff,***

***Oklahoma State Board of Medical  
Licensure and Supervision***



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Nancy Thiemann, Legal Assistant