

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

**FILED**

MAR 08 2012

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA )  
EX REL. THE OKLAHOMA BOARD )  
OF MEDICAL LICENSURE )  
AND SUPERVISION, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
JOHNATHAN BUHLER CRABB, PT, )  
LICENSE NO. PT2342, )  
 )  
Defendant. )

Case No. 11-08-4398

**VOLUNTARY SUBMITTAL TO JURISDICTION**

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 for the State of Oklahoma, and the staff of the Board, as represented by the Secretary of the Board, Gerald C. Zumwalt, M.D., and the Executive Director of the Board, Lyle Kelsey, and the Defendant, Johnathan Buhler Crabb, PT, Oklahoma license no. PT2342, who appears in person and pro se, proffer this Agreement for acceptance by the Board *en banc* pursuant to Section 435:5-1-5.1 of the Oklahoma Administrative Code ("OAC").

**AGREEMENT AND ACKNOWLEDGMENT BY DEFENDANT**

By voluntarily submitting to jurisdiction and entering into this Order, Defendant pleads guilty to the allegations in the Complaint and Citation filed herein on February 17, 2012 and acknowledges that hearing before the Board would result in some sanction under the Physical Therapy Practice Act.

Defendant, Johnathan Buhler Crabb, PT, 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 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 has been reviewed and discussed with him.

## ***PARTIES' AGREEMENT AND STIPULATIONS***

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

### ***Findings of Fact***

1. The Board 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 pursuant to 59 Okla. Stat. §§ 480 *et seq.* and 887.1 *et seq.*

2. Defendant, Johnathan Buhler Crabb, PT, holds physical therapist license no. PT2342 in the State of Oklahoma and previously practiced in Davenport, Oklahoma.

3. On or about March 15, 2011, Defendant was arrested and charged with **RECKLESS CONDUCT WITH A FIREARM** in the District Court of Lincoln County, State of Oklahoma, Case No. CM-2011-00060. The charges were based upon an incident that occurred on or about January 6, 2011. At that time, Defendant was engaging in sexual conduct with a woman when the woman's husband came home and found them. The husband began to beat Defendant, then left the room to get his children. The woman followed her husband to the upstairs part of the house where they began yelling at each other. Defendant then picked up a handgun he had brought with him and fired two (2) shots into the living room area allegedly to stop the yelling. The husband heard the gunfire so he took the children with him and left the house at that time and called the police. The police later determined that the bullets went through the bedroom door, one into a love seat in another room, and one through a bathroom and into a hallway.

4. Defendant subsequently plead no contest and was found guilty of the charge. He received a six (6) month deferred sentence and was placed on probation.

5. On or about August 5, 2011, Defendant was arrested for **FURNISHING ALCOHOL TO A MINOR** and **CONTRIBUTING TO THE DELINQUENCY OF A MINOR**. According to police reports, police had performed a welfare check on Defendant earlier that evening at which time they learned that Defendant had consumed a half-gallon of vodka and had passed out. Police did not take any action at that time.

6. Later that same evening, a minor child was found by neighbors to be extremely intoxicated. The police were called and at that time, the child reported that Defendant had given him vodka and had offered him Seroquel, Lortab and steroids. The child took the vodka but did not ingest any of the drugs offered to him.

7. Police then went back to Defendant's residence and found him passed out in the doorway on the floor. They tried to talk to Defendant, but he was too intoxicated to speak. At that time, police arrested him and took him to jail, where he was subsequently charged with **FURNISHING AN ALCOHOLIC BEVERAGE TO A MINOR**, Case No. CF-2011-00164, in the District Court of Lincoln County, State of Oklahoma.

8. On or about January 18, 2012, Defendant plead guilty to the charge. He received a five year deferred sentence, was ordered to pay court costs and perform forty (40) hours of community service within six (6) months, and was placed on two (2) years of supervised probation.

9. Based on the allegations stated above, Defendant is guilty of unprofessional conduct as follows:

- A. Used drugs, narcotics, medication, or intoxicating liquors to an extent which affects the professional competency of the licensee in violation of 59 O.S. §887.13(4).
- B. Is guilty of conduct unbecoming a person licensed as a physical therapist or physical therapy assistant or guilty of conduct detrimental to the best interests of the public or his profession in violation of 59 O.S. §887.13(9).
- C. Is guilty of any act in conflict with the ethics of the profession of physical therapy in violation of 59 O.S. §887.13(10).
- D. Engaged in dishonorable or immoral conduct that is likely to deceive, defraud, or harm the public in violation of OAC 435:20-5-8(5).
- E. Violated any provision of the Physical Therapy Practice Act or the rules and regulations of the board or of an action, stipulation, agreement or order of the Board in violation of OAC 435:20-5-8(31).
- F. Is guilty of habitual intemperance or the habitual use of habit-forming drugs in violation of OAC 435:20-5-8(2).
- G. Was convicted of or confessed to a crime involving violation of the laws of this state in violation of OAC 435:20-5-8(4).
- H. Is guilty of the habitual intemperance or addicted use of any drug, chemical or substance that could result in behavior that interferes with the practice of physical therapy and the responsibilities of the licensee in violation of OAC 435:20-5-8(13).
- I. Has been convicted of, or confessed to or plead no contest to a felony or misdemeanor in violation of OAC 435:20-5-8(26).

### *Conclusions of Law*

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Physical Therapy Practice 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, Johnathan Buhler Crabb, PT, Oklahoma physical therapist license no. PT2342, is guilty of the unprofessional conduct set forth below based on the foregoing facts:

- A. Used drugs, narcotics, medication, or intoxicating liquors to an extent which affects the professional competency of the licensee in violation of 59 O.S. §887.13(4).
- B. Is guilty of conduct unbecoming a person licensed as a physical therapist or physical therapy assistant or guilty of conduct detrimental to the best interests of the public or his profession in violation of 59 O.S. §887.13(9).
- C. Is guilty of any act in conflict with the ethics of the profession of physical therapy in violation of 59 O.S. §887.13(10).
- D. Engaged in dishonorable or immoral conduct that is likely to deceive, defraud, or harm the public in violation of OAC 435:20-5-8(5).
- E. Violated any provision of the Physical Therapy Practice Act or the rules and regulations of the board or of an action, stipulation, agreement or order of the Board in violation of OAC 435:20-5-8(31).
- F. Is guilty of habitual intemperance or the habitual use of habit-forming drugs in violation of OAC 435:20-5-8(2).
- G. Was convicted of or confessed to a crime involving violation of the laws of this state in violation of OAC 435:20-5-8(4).
- H. Is guilty of the habitual intemperance or addicted use of any drug, chemical or substance that could result in behavior that interferes with the practice of physical therapy and the responsibilities of the licensee in violation of OAC 435:20-5-8(13).
- I. Has been convicted of, or confessed to or plead no contest to a felony or misdemeanor in violation of OAC 435:20-5-8(26).

**Order**

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

1. The Board *en banc* hereby adopts the agreement of the parties in this Voluntary Submittal to Jurisdiction.

2. The license of Defendant, Johnathan Buhler Crabb, PT, Oklahoma license no. PT2342, is hereby **SUSPENDED THREE (3) MONTHS** beginning December 8, 2011, and continuing until March 8, 2012.

3. Pursuant to the parties' voluntary agreement and submittal to jurisdiction, Defendant shall be placed on **PROBATION** for a period of **FIVE (5) YEARS** following his suspension, under the following terms and conditions:

A. Defendant will conduct his practice in compliance with the Oklahoma Physical Therapy Practice Act as interpreted by the Oklahoma State Board of Medical Licensure and Supervision. Any question of interpretation regarding said Act shall be submitted in writing to the Board and no action based on the subject of the question will be taken by Defendant until clarification of interpretation is received by Defendant from the Oklahoma State Board of Medical Licensure and Supervision.

B. Defendant will furnish to each and every state in which he holds licensure or applies for licensure and hospitals, clinics or other institutions in which he holds or anticipates holding any form of staff privilege or employment, a copy of the Board Order stipulating sanctions imposed by the Oklahoma State Board of Medical Licensure and Supervision.

C. Upon request of the Board Secretary, Defendant will request all hospitals in which he practices to furnish to the Board Secretary a written statement regarding monitoring of his practice while performing services in or to that hospital.

D. Defendant will submit biological fluid specimens to include, but not limited to, blood and urine, for analysis, as well as hair follicle samples, upon request of the Oklahoma State Board of Medical Licensure and Supervision or its designee, and Defendant will pay for the analysis thereof.

E. Defendant will take no medication except that which is

authorized by a physician treating him for a legitimate medical need and only during that time in which he is being treated by the physician for that specific medical need. Defendant has the affirmative duty to inform any and every doctor treating him of the Board Order immediately upon initiation, or continuation of treatment.

F. Defendant will have the affirmative duty not to ingest any substance which will cause a body fluid sample to test positive for prohibited substances, including but not limited to alcohol.

G. Defendant will attend at least three (3) meetings per week of a 12-Step program.

H. Defendant shall sign a contract with and comply with all requirements of the Oklahoma Allied Professional Peer Assistance Program.

I. Defendant shall obtain individual counseling with a counselor approved in advance in writing by the Board Secretary to address his mental health issues. Defendant shall continue with said counseling until both the counselor and the Board Secretary approve discontinuance of counseling. Defendant shall submit quarterly reports of his progress from his counselor to the Board Secretary for his review.

J. Defendant shall promptly notify the Board of any citation or arrest for traffic or for criminal offenses involving substance abuse.

K. Defendant shall submit any required reports and forms on a timely, accurate and prompt basis to the Compliance Coordinator or his designee.

L. Defendant will authorize in writing the release of any and all records of his medical, emotional or psychiatric treatment to the Oklahoma State Board of Medical Licensure and Supervision and will authorize the Compliance Consultant to the Board to discuss his case and treatment with the individuals providing Defendant's treatment.

M. Defendant will keep the Oklahoma State Board of Medical Licensure and Supervision informed of his current address.

N. Defendant will keep current payment of all assessment by the Oklahoma State Board of Medical Licensure and Supervision

for prosecution, investigation and monitoring of his case, which shall include but is not limited to a one hundred-fifty dollar (\$150.00) per month fee during the term of probation.

O. Until such time as all indebtedness to the Oklahoma State Board of Medical Licensure and Supervision has been satisfied, Defendant will reaffirm said indebtedness in any and all bankruptcy proceedings.

P. Defendant shall make himself available for one or more personal appearances before the Board or its designee upon request.

Q. Defendant will notify the Board or its designee of any slip, relapse, entry or re-entry into an inpatient rehabilitation, assessment, or evaluation program and shall provide to the Board or its designee written authorization for any and all records associated with said treatment, assessment or evaluation. Defendant acknowledges and agrees that the Board may use such information against Defendant in any future disciplinary proceedings.


R. Failure to meet any of the terms of this Board Order will constitute cause for the Board to initiate additional proceedings to suspend, revoke or modify Defendant's license after due notice and hearing.

S. Defendant shall continue his medication management through Red Rock and thereafter, with his primary care physician or psychiatrist, as approved in advance in writing by the Board Secretary. Defendant shall submit quarterly reports of his progress from Red Rock or from his physician to the Board Secretary for his review.


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


5. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and investigation costs.

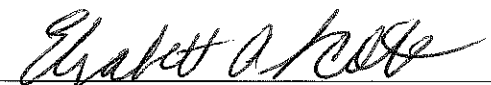
Dated this 8<sup>th</sup> day of March, 201.

  
\_\_\_\_\_  
J. Andy Sullivan, M.D., President  
Oklahoma State Board of  
Medical Licensure and Supervision

**AGREED AND APPROVED:**

  
Johnathan Buhler Crabb, PT  
License No. PT2342

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

  
Elizabeth A. Scott OBA #12470  
Assistant Attorney General  
State of Oklahoma  
101 N.E. 51<sup>st</sup> Street  
Oklahoma City, OK 73105  
405/962-1400

Attorney for the Oklahoma State Board  
of Medical Licensure and Supervision

**CERTIFICATE OF MAILING**

I CERTIFY THAT ON THE 9TH DAY OF MARCH, 2012, I MAILED A TRUE AND CORRECT COPY OF THE VOLUNTARY SUBMITTAL TO JURISDICTION TO JOHNATHAN CRABB, PT, PO BOX 1282, HARRAH, OK 73045.

  
JANET SWINDLE, SECRETARY