

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

**FILED**

OCT 12 2006

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

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

Plaintiff, )

vs. )

PHILLIP DARRELL ASHBY, R.C. )  
LICENSE NO. RC2391, )

Defendant. )

CASE NO. 06-10-3178

CITATION

YOU ARE HEREBY NOTIFIED that on the 12 day of October, 2006, a sworn Complaint was filed with the undersigned member of the Oklahoma State Board of Medical Licensure and Supervision, State of Oklahoma, charging you with violations of the Respiratory Care Practice Act at 59 O.S. §2040 (1), (2), (3), (5), (8) and (9) and OAC 435:45-5-3(1), (7), (8), (21), (22) and (24). A copy of the Complaint is attached hereto and made a part thereof.


On January 18-20, 2007, the Board will be in regular session at 9:00 o'clock a.m., at its offices located at 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, at which time your Complaint will be considered by the Board, and a hearing will be held pursuant to the Oklahoma Administrative Procedures Act, 75 O.S. 1971, Sec. 309, et seq., as amended.

If the Board decides, after considering all the testimony and evidence, that you are guilty as charged, your license to practice as a respiratory therapist within the State of Oklahoma may be suspended or revoked or other disciplinary action may be taken by the Board as authorized by law, including the assessment of costs and fees incurred in this action.

Under the laws of the State of Oklahoma, you are required to file your written Answer under oath with the Secretary of the Board within twenty (20) days after the Citation is served upon you. Unless your Answer is so filed, you will be considered in default, and the Board may accept the allegations set forth in the complaint as true at the hearing of the complaint. If the charges are deemed sufficient by the Board, your license to practice as a respiratory therapist in the State of Oklahoma may be suspended or revoked.

THEREFORE, you are cited to appear at the hearing. If you are not present in person, you may be present through your attorney.

DATED this 12 day of October, 2006 at 2<sup>10</sup><sup>pm</sup> o'clock.

  
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GERALD C. ZUMWALT, M.D.  
Secretary/Medical Advisor  
Oklahoma State Board of Medical  
Licensure and Supervision

**RETURN OF SERVICE BY AGENT**

Received the attached and foregoing Citation, Complaint and Scheduling Order in the

investigation of Phillip D. Ashby, at Oklahoma City, Oklahoma, on the 13<sup>th</sup> day of October, 2006, and on the 13<sup>th</sup> day of Oct, 2006, at 2:27 o'clock P.M. served it on the within named defendant by delivering a copy to: Phillip D. Ashby  
(name of person served)

at (address):

2524-A E. 71<sup>st</sup> St  
Tulsa, OK

Served by: Janet Swindle

Subscribed and sworn to before me on this 13 day of October, 2006



Janet Swindle  
Notary Public

My Commission expires:

8-22-2010

CASE NAME: Phillip D. Ashby

CASE #: 06-10-3178