

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

FILED

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

Plaintiff,)

vs.)

ANITA JETAWN COOPER, R.C.)
R.C. LICENSE NO. 2538,)

Defendant.)

APRIL 18 2009

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

CASE NO. 08-10-3598

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, Anita Jetawn Cooper, R.C., 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 respiratory care therapists in the State of Oklahoma pursuant to 59 Okla. Stat. §§ 480 *et seq.* and 2026 *et seq.*

2. Defendant, Anita Jetawn Cooper, R.C., holds respiratory care license no. RC2538 in the State of Oklahoma.

3. On or about September 19, 2008, Defendant was working at St. Anthony Hospital in Oklahoma City, Oklahoma. At one point during her shift, Defendant went into the medication room and found that the Pyxis had been left open and that the Lortab drawer was open. Defendant took a handful of Lortab, placed them in her pocket, then left the room.

4. Later that morning, Defendant's supervisor asked her to come with him to the Respiratory Therapy Office. While they were waiting for the Director of Respiratory Therapy to arrive, Defendant asked to go the locker room, at which time she took the Lortab out of her pocket and hid it in her locker.

5. Security personnel subsequently searched Defendant's pockets and found nothing. They then searched her locker and found the stolen drugs, as identified by lot numbers and expiration dates.

6. When St. Anthony staff asked Defendant how she got the Lortab, she lied and told them she had received Lortab samples from her dentist.

7. Based on this incident, Defendant was placed on suspension during the pendency of the investigation.

8. An investigation conducted by the St. Anthony security department revealed five (5) separate occasions where narcotics were missing from the Pyxis and Defendant had access to the Pyxis during the times the narcotics were found to be missing, as evidenced by surveillance videos.

9. Based upon the fact that the stolen Lortab was found in Defendant's locker, that it was identified by lot number, and that Defendant could not document that she had received the Lortab as samples from her dentist, St. Anthony Hospital terminated Defendant's employment.

10. Based on the allegations stated above, Defendant is guilty of unprofessional conduct in that she:

- A. Is guilty of unprofessional conduct as defined by the rules established by the Board, or of violating the code of ethics adopted and published by the Board in violation of 59 Okla. Stat. §2040(9) and 435:45-5-3(24).
- B. Is addicted to, or has improperly obtained, possessed, used or distributed habit-forming drugs or narcotics in violation of 59 Okla. Stat. §2040(4).
- C. Is guilty of dishonest or unethical conduct in violation of 59 O.S. §2040(5).
- D. Has violated any provision of the Respiratory Care Practice Act in violation of 59 O.S. §2040(8) and 435:45-5-3(21).
- E. Is habitually intemperate or addicted to any drug, chemical or substance which could result in behavior that interferes with the practice of respiratory care and the responsibilities of the licensee in violation of 435:45-5-3(1).
- F. Engaged in the unauthorized possession and use of illegal or controlled substances or pharmacologic agents without lawful authority or prescription by an authorized and

licensed independent practitioner of the state of Oklahoma
in violation of 435:45-5-3(2).

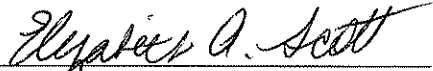
- G. Forged a prescription for medication/drugs, or presented a
forged prescription in violation of 435:45-5-3(4).

11. These allegations raise serious concerns about Defendant's ability to practice as a
respiratory therapist 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 respiratory care
therapist in the State of Oklahoma.

Dated this 17th day of April, 2009.

Respectfully submitted,



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Oklahoma Board of Medical Licensure and
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