

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

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

Plaintiff,

v.

ORIN GRIFFITH, R.C.,
LICENSE NO. RC2567

Defendant.

FILED

JAN 14 2010

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 09-09-3834

FINAL ORDER OF REVOCATION

This cause came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the "Board") on January 14, 2010, at the office of the Board, 101 N.E 51st Street, 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 and reviewing the exhibits admitted, 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 respiratory care therapists in the State of Oklahoma pursuant to 59 Okla. Stat. §§ 480 *et seq.* and 2026 *et seq.*
2. Defendant, Orin Griffith, R.C., holds respiratory care license no. RC2567 and practices in Edmond, Oklahoma.
3. On or about August 10, 2009, in the District Court of Logan County, State of Oklahoma, in the case styled State of Oklahoma v. Orin Vaughn Griffith, Case No. CF-2009-179, Defendant was arrested and charged with two (2) counts of Assault with a Dangerous

Weapon in violation of 21 O.S. §645, a Felony, two (2) counts of Assault and Battery with a Dangerous Weapon in violation of 21 O.S. §645, a Felony, one (1) count of Domestic Assault and Battery in the Presence of a Minor Child in violation of 21 O.S. §644 (E), a Felony, one (1) count of Driving a Motor Vehicle While Under the Influence of Alcohol in violation of 47 O.S. §11-902(A)(1), and one (1) count of Transporting an Open Container of Beer in violation of 21 O.S. §1220.

4. On or about November 25, 2009, Defendant entered into a plea agreement wherein he pled guilty to **one (1) count of Assault with a Dangerous Weapon, a Felony, and two (2) counts of Assault and Battery with a Dangerous Weapon, a Felony.**

5. On or about November 25, 2009, Judge Larry Brooks, Logan County District Judge, accepted Defendant's guilty plea and sentenced Defendant to seven (7) years with the Department of Corrections to be suspended, along with a requirement that Defendant attend an intensive inpatient alcohol abuse treatment program, obtain outpatient treatment, obtain a drug and alcohol evaluation, attend an anger management program, obtain domestic abuse counseling, and to pay court costs and fines.

6. Oklahoma Administrative Code Section 435:5-1-5.2 provides as follows:

(b) The Board shall revoke the license of a person licensed by the Board who has a final felony conviction.

7. Defendant is guilty of unprofessional conduct in that he:

- A. Has been 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 O.S. §2040(9).
- B. Was convicted of, or confessed or plead no contest to a felony or of a crime involving moral turpitude in violation of OAC 435:45-5-3(a)(5).
- C. Violated any provision of the Respiratory Care Practice Act or the rules promulgated by the Board in violation of OAC 435:45-5-3(a)(21).
- D. Violated any provision of the medical 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 435:45-5-3(a)(24).

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. Has been 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 O.S. §2040(9).
- B. Was convicted of, or confessed or plead no contest to a felony or of a crime involving moral turpitude in violation of OAC 435:45-5-3(a)(5).
- C. Violated any provision of the Respiratory Care Practice Act or the rules promulgated by the Board in violation of OAC 435:45-5-3(a)(21).
- D. Violated any provision of the medical 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 435:45-5-3(a)(24).

3. The Board further found that the Defendant's respiratory care therapist license should be revoked based upon any or all of the violations of the unprofessional conduct provisions of 59 Okla. Stat. §2040(9), OAC 435:45-5-3(a)(5), (21) and (24).

Order

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


1. The license of Defendant, Orin Griffith, R.C., Oklahoma license no. RC2567, is hereby **REVOKED** as of the date of this hearing, January 14, 2010.

2. If the Board reinstates Defendant's Respiratory Care Therapist License, it shall be under terms of probation to be determined at that time by the Board, with consideration of any recommendations of the Respiratory Care Advisory Committee.

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

4. Defendant's revoked license shall not be reinstated unless Defendant has reimbursed the Board for all taxed costs.

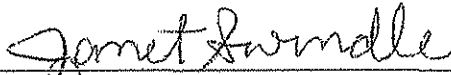
Dated this 17th day of January, 2010.



Curtis Harris, M.D., President
Oklahoma State Board of
Medical Licensure and Supervision

CERTIFICATE OF SERVICE

I certify that on the 15 day of January, 2010, I mailed, via first class mail, postage prepaid, a true and correct copy of this Order to Orin Griffith, 900 N. Fretz, #38, Edmond, OK 73003.



Janet Swindle