

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

FILED

MAY 23 2014

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA, *ex rel.*)
THE OKLAHOMA BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)
)
Plaintiff,)
)
v.)
)
PAUL ROGER LAM, P.T.,)
LICENSE NO. PT2651)
)
Defendant.)

Case No: 14-03-4925

COMPLAINT

The State of Oklahoma, *ex rel.* the Oklahoma State Board of Medical Licensure and Supervision (the “Board”), and for its Complaint against Defendant Paul Roger Lam, P.T., alleges and states as follows:

1. This Board is the duly authorized State agency empowered to license and oversee the activities of physical therapists in the State of Oklahoma pursuant to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act, 59 O.S. 2011 & Supp. 2013, §§ 480-518.1, and the Physical Therapy Practice Act, 59 O.S. 2011 & Supp. 2012, §§ 887.1-887.18.
2. The Defendant holds Physical Therapist License No. PT2651 issued by this Board in 1997. The acts and omissions taken by the Defendant and set forth herein were conducted within the territorial confines of the State of Oklahoma and concern violations of the Physical Therapy Practice Act and this Board’s administrative regulations associated therewith.

Current Allegations of Unprofessional Conduct

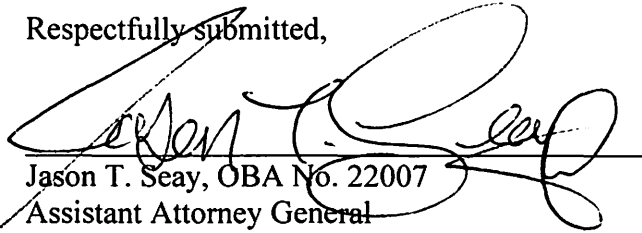
3. The Defendant electronically signed and transmitted to this Board a completed Application for Renewal of Oklahoma License as a Physical Therapist on January 1, 2014 (the “Application”). The Defendant represented that the representations he made on the Application were true and correct.

4. On the Application, the Defendant disclosed that he was arrested for, charged, with, or convicted of a traffic violation involving the use of any drug or chemical substance, including alcohol.
5. On the Application, the Defendant denied having been assessed or treated for the use of any drug or chemical substance, including alcohol.
6. The Defendant was first arrested on or about January 19, 2012 for aggravated driving a motor vehicle while under the influence of alcohol, a misdemeanor, in Garfield County, Oklahoma. The Defendant was criminally charged for this offense, in *State v. Lam*, CM-2012-90 (Garfield County, Okla.). The Defendant reported this first arrest and charge to this Board in 2013.
7. The Defendant was subsequently arrested on or about May 8, 2013 for the second offense of driving a motor vehicle while under the influence of alcohol, a felony, in Garfield County, Oklahoma. The Defendant was criminally charged for this offense, in *State v. Lam*, CF-2013-242 (Garfield County, Okla.). The charge was reduced from a felony to a misdemeanor offense, to which the Defendant ultimately pleaded no contest.
8. As part of the sentencing requirements in CF-2013-242, the Defendant was required to complete, and did complete, an Alcohol and Drug Substance Abuse Course (“ADSAC”).
9. As part of his participation in the ADSAC program, the Defendant was required to undergo, and did undergo, a drug and alcohol substance assessment.
10. Therefore, the representation made upon the Application by the Defendant, as set forth in Paragraph 5, *supra*, is not true and correct.
11. In light of these facts, the Defendant committed unprofessional conduct by:
 - a. Engaging in conduct unbecoming a person licensed a physical therapist, and conduct detrimental to the best interests of the public or the Defendant’s profession in violation of 59 O.S. 2011, § 887.13(9);
 - b. Engaging in acts in conflict with the ethics of the Defendant’s profession in violation of 59 O.S. 2011, § 887.13(10);
 - c. Pleading no contest to a felony or misdemeanor in violation of Okla. Admin. Code § 435:20-5-8(26); and
 - d. Engaging in habitual intemperance that could result in behavior that interferes with the practice of physical therapy and the Defendant’s professional responsibilities in violation of Okla. Admin. Code §§ 435:20-5-8(2), (13).

Conclusion

WHEREFORE, the Plaintiff respectfully 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 and any other appropriate action with respect to Defendant's medical license, and an assessment of costs and attorney's fees incurred in this action as provided by law.

Respectfully submitted,



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