

**FILED**  
SEP 11 2017  
OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

**Case No. 17-01-5418**

### **LPED License – CEUs Submitted**

5. Board Investigators reviewed the LPED CEU certificates submitted to the Board by Defendant for years 2003 through 2016. 38 certificates totaling 76 hours were fraudulent. The fraudulent certificates and years they represented are as follows:
- Five (5) 2006 certificates submitted to the board are not dated – 10 hours.
  - Two (2) 2008 certificates submitted to the board are not dated and were two (2) presented in 2006 – 4 hours.
  - Four (4) 2009 certificates submitted to the board have handwritten attendance dates, as well as being presented in prior years with different dates – 8 hours.
  - Six (6) 2010 certificates submitted to the board have handwritten attendance dates – 12 hours.
  - Six (6) 2012 certificates submitted to the board have handwritten attendance dates – 12 hours.
  - Nine (9) 2013 certificates submitted to the board have handwritten attendance dates – 18 hours.
  - Six (6) first 2016 certificates submitted to the Board have handwritten attendance dates – 12 hours.

### **LPO License – CEUs Submitted**

6. Defendant's Prosthetist/Orthotist licensing file was reviewed. For an LPO license, a licensee must renew every two (2) years and submit either a certification, or evidence for completion of 15 hours of CEU's for each license (Prosthetist and Orthotist). Defendant is a certified Orthotist, but not a certified Prosthetist.
7. Board Investigators reviewed LPO CEU certificates submitted to the Board by Defendant for years 2011, 2013 and 2015. 21 certificates totaling 42 hours were fraudulent. The fraudulent certificates and years they represented are as follows:
- Three (3) 2011 certificates submitted to the board have handwritten attendance dates – 6 hours.
  - Nine (9) 2013 certificates submitted to the board have handwritten attendance dates – 18 hours.
  - Nine (9) 2015 certificates submitted to the board have handwritten attendance dates – 18 hours.

### **Interview Defendant**

8. On February 14, 2017, Defendant was interviewed at the Board office. Defendant initially feigned surprise when informed that it appeared he had submitted fraudulent CEU certificates to the Board. Defendant said this was the first time he had heard anything about fraudulent documents.
9. When confronted with the evidence, however, Defendant admitted to altering certificates and submitting them with handwritten dates on them. When asked if he did so because he was busy, Defendant said it was. Defendant said he did a lot more education that he didn't submit. Defendant was asked to write a statement explaining his reasons for submitting false documentation to the Board. In his statement Defendant admitted to changing the dates on the CEU certificates he submitted to the Board. Defendant also provided three (3) pages of Mandatory Continuing Education printouts from the American Board for Certification in Orthotics, Prosthetics and Pedorthics, Inc. ("ABC-OPP").

### **ABC-OPP Education Information**

10. On March 15, 2017, the Director of Continuing Education for the ABC-OPP sent a list of continuing education Defendant has taken with their organization from 2008 to the present. This list corresponded to the new list received by the Board from Defendant. A review of this information showed minimal CEUs for Pedorthics. Ms. Harris confirmed, with the exception of 4 credits earned on February 20, 2016, none of the CEUs taken by Defendant were directly relevant to Pedorthics.
11. The following chart shows the courses from the ABC-OPP taken by Defendant that corresponded with each license:

	Pedorthist 11 hrs/year	Orthotist Certified	Prosthetist 15 hours every 2 yrs	Totals
2008	0	6	14	34
2009	0	6	8	
2010	0	4	4	
2011	0	8	14.5	30.5
2012	0	8	10	30.5
2013	4	0	8.5	

## II. VIOLATIONS

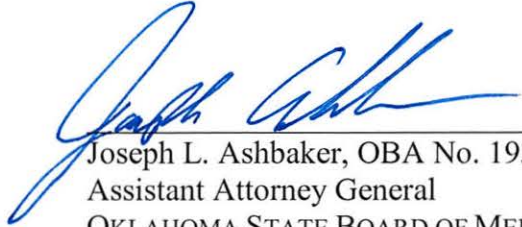
12. Based on the foregoing, Defendant is guilty of professional misconduct as follows:

- A. To be licensed to practice pedorthics according to standard qualifications, a person shall have passed all examinations required for certification by an entity approved by the Board as a certification organization for licensure purposes. Once licensed, a pedorthist shall meet continuing education and annual renewal requirements to maintain pedorthic licensure. The licensed pedorthist shall also adhere to a code of ethics adopted by the Board upon recommendation of the Committee, in violation of 59 O.S. 2011, § 2306(B);
- B. Every year pedorthists seeking to renew licensure must show proof of current certification by the American Board for Certification in Orthotics, Prosthetics and Pedorthics or obtain 11 continuing education points as set out in 435:50-5-4 and 435:50-5-5 of this subsection. No continuing education hours may be carried over from one compliance period to another, in violation of Okla. Admin. Code § 435:50-5-5(a);
- C. It is unethical for the pedorthist to falsify his/her continuing education units, in violation of Okla. Admin. Code § 435:50-7-2(b)(3)(E)(iii);
- D. Every two years individuals seeking to renew licensure/registration must show proof of current certification by the American Board for Certification in Orthotics, Prosthetics and Pedorthics (ABC) or the Board for Orthotist/Prosthetist Certification (BOC), or obtain continuing education hours as follows: (1) Orthotists and/or prosthetists must obtain thirty (30) continuing education hours. Dual disciplined licensees must obtain at least fifteen (15) hours in each discipline, in violation of Okla. Admin. Code § 435:55-5-3(a)(1);
- E. The commission of any act which is a violation of the criminal laws of any state when such act is connected with the physician's practice of medicine. A complaint, indictment or confession of a criminal violation shall not be necessary for the enforcement of this provision. Proof of the commission of the act while in the practice of medicine or under the guise of the practice of medicine shall be unprofessional conduct, in violation of 59 O.S. 2011, § 509(9);
- F. It is unethical for the orthotist and/or prosthetist to falsify his/her continuing education units and may lead to permanent license revocation, in violation of Okla. Admin. Code § 435:55-7-3(b)(3)(E)(iii).



### **III. CONCLUSION**

Given the foregoing, the undersigned requests 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 without the right to reapply and any other appropriate action with respect to the Defendant's professional license, including an assessment of costs and attorney's fees incurred in this action as provided by law.

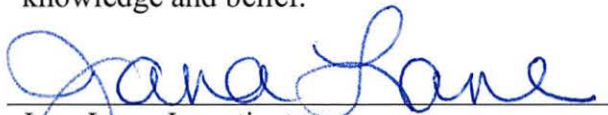


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### **VERIFICATION**

I, Jana Lane, under penalty of perjury, under the laws of the State of Oklahoma, state as follows:

1. I have read the above Verified Complaint regarding Defendant, Gary Loveless, LPED, LPO; and
2. The factual statements contained therein are true and correct to the best of my knowledge and belief.



Jana Lane, Investigator  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION

Date:

09-08-2017

Oklahoma, Oklahoma  
County, State of Execution