

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

**FILED**

JUL 25 2024

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

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

Plaintiff, )

vs. )

Case No. 24-04-6313

GAYLA R. WATTS-SPARGER, R.C., )  
LICENSE NO. RC 3498, )

Defendant. )

**ORDER ACCEPTING  
VOLUNTARY SUBMITTAL TO JURISDICTION**

The State of Oklahoma, *ex rel.* Oklahoma State Board of Medical Licensure and Supervision (“Board”), by and through the undersigned counsel for the Plaintiff, as represented by the Secretary of the Board, Billy H. Stout, M.D., and the Executive Director of the Board, Sandra Harrison, along with Gayla R. Watts-Sparger, R.C. (“Defendant”), Oklahoma Respiratory Care Practitioner License No. 3498, who appears in person, (collectively, the “Parties”), hereby offer this Order Accepting Voluntary Submittal to Jurisdiction (herein, “Order” or “Agreement”) for acceptance by the Board. Okla. Admin. Code § 435:5-1-5.1.

By voluntarily submitting to jurisdiction and entering into this Order, Defendant admits to the allegations herein contained and further acknowledges that a hearing before the Board could result in some sanction under the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act (“Act”). 59 O.S. § 480, *et seq.*

Defendant, Gayla R. Watts-Sparger, R.C., states that she is of sound mind and is not under the influence of, or impaired by, any medication or drug and that she fully recognizes her right to appear before the Board for an evidentiary hearing on the allegations made against her. Defendant hereby voluntarily waives her right to a full hearing, submits to the jurisdiction of the Board and agrees to abide by the terms and conditions of this Order. Defendant acknowledges that she has read and understands the terms and conditions stated herein, and that this Agreement may be reviewed and discussed with her by legal counsel prior to execution.

If the Board does not accept this Order, the Parties stipulate that it shall be regarded as null and void. Admissions by Defendant herein, if any, shall not be regarded as evidence against her

in a subsequent disciplinary hearing. Defendant will be free to defend herself and no inferences will be made from her willingness to have this Order accepted by the Board. The Parties stipulate that neither the presentation of this Order nor the Board's consideration of this Order shall be

deemed to have unfairly or illegally prejudiced the Board or its individual members and, therefore, shall not be grounds for precluding the Board nor any individual Board member from further participation in proceedings related to the matters set forth herein.

### **Findings of Fact**

The Plaintiff, Defendant, and the Board staff each stipulate and agree as follows:

1. In Oklahoma, Defendant holds Respiratory Care Practitioner License No. 3498.
2. On June 12, 2024, a *Verified Complaint* and *Citation* were each filed by the Board. Hearing was set for July 25, 2024. Defendant was served on June 14, 2024 by private process server. An *Affidavit of Service* was filed on June 19, 2024.
3. This matter was initiated with an anonymous complaint informing Board staff that Defendant was arrested and plead guilty for driving under the influence of drugs.
4. An investigation was opened regarding this case. It was found that Defendant was arrested on or about June 11 2022. Defendant subsequently pled guilty to driving under the influence of drugs, in this case marijuana, and received an eighteen (18) month deferred sentence in Oklahoma County District Court case CM-2022-3242, on or about February 28, 2024.
5. On or about December 8, 2022, Defendant filed her Application for Renewal of Oklahoma License. Defendant answered "NO" to the questions "D. Have you been arrested for, charged with, or convicted of a felony or misdemeanor other than a traffic violation?" and "E. Have you been arrested for, charged with, or convicted of a traffic violation involving the use of drugs or chemical substances and/or alcohol?". Those answers were incorrect.

### **Conclusions of Law**

6. The Board has jurisdiction over the subject matter and is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of Respiratory Care Practitioners in the State of Oklahoma. 59 O.S. § 2026 *et seq.* and Okla. Admin. Code §§ 435:45-1-1 *et seq.* The Board has specific authority to oversee and discipline in this matter pursuant to 59 O.S. 2040 and Okla. Admin. Code § 435:45-5-3.
7. Notice was provided as required by law and the rules of the Board. 75 O.S. § 309; 59 O.S. § 2041(A); Okla. Admin. Code §§ 435:3-3-5, 435:3-3-6.

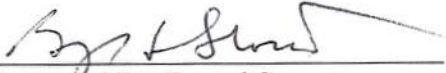
8. The Board is authorized to suspend, revoke or order any other appropriate conditions against the license of any Respiratory Care Practitioner holding a license to practice in the State of Oklahoma for unprofessional conduct. 59 O.S. §2040. and Okla. Admin. Code 435:45-5-3.
9. The Board is authorized to accept voluntary submittals to jurisdiction mutually agreed to by parties to a disciplinary action to resolve the action without need for a hearing. 75 O.S. § 309(E); Okla. Admin. Code § 435:5-1-5.1.
10. Based on the foregoing, Defendant is guilty of unprofessional conduct as follows:
  - a. Dishonest or unethical conduct, in violation of 59 O.S. §2040(5).
  - b. Violation of any provision(s) of the medical practice act or the rules and regulations of the Board, in violation of OAC 435:45-5-3(a)(24).

### ORDERS

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

1. The Board hereby adopts the Agreement of the Parties in this *Order Accepting Voluntary Submittal to Jurisdiction*, including the findings of fact and conclusions of law stated herein.
2. **GAYLA R. WATTS-SPARGER, R.C.**, Oklahoma Respiratory Care Practitioner License No. 3498 is hereby formally **REPRIMANDED**.
3. Defendant shall pay a \$500.00 fine on the day this Order is entered.
4. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees, investigation costs, staff time, salary and travel expenses, witness fees and attorney's fees.
5. A copy of this Order shall be provided to Defendant as soon as it is processed.

Dated this 25<sup>th</sup> day of July, 2024.



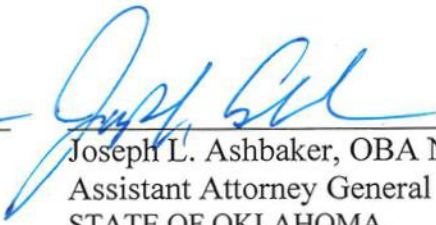
Billy H. Stout, M.D., Board Secretary  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION



Trevor Nutt, President  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION



Gayla R. Watts-Sparger, R.C.,  
License RC 3498  
*Defendant Pro Se*

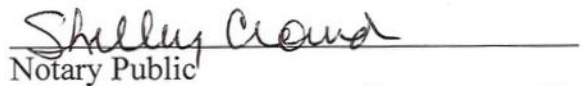
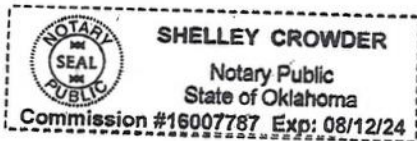


Joseph L. Ashbaker, OBA No. 19395  
Assistant Attorney General  
STATE OF OKLAHOMA,  
OFFICE OF ATTORNEY GENERAL  
*Attorney for Plaintiff,*  
*Oklahoma State Board of Medical*  
*Licensure and Supervision*

**ACKNOWLEDGEMENT**

STATE OF OKLAHOMA                    )  
  )    ss.  
COUNTY OF OKLAHOMA                )

This instrument was acknowledged before me on the 25<sup>th</sup> day of July,  
2024, by Gayla R. Watts-Sparger.



Notary Public  
Commission Expiration: August 12, 2024

**Certificate of Service**

This is to certify that on the 25<sup>th</sup> day of July, 2024, a true and correct copy of this Order was transmitted as indicated, postage prepaid, to the following:

U.S. Certified Mail

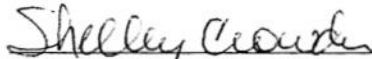
Gayla R. Watts-Sparger, R.C.  
1407 N. Robinson Ave.  
Midwest City, OK 73130

***Defendant***

E-Mail

Joseph L. Ashbaker  
Assistant Attorney General  
State of OK, Office of Attorney General  
313 N.E. 21<sup>st</sup> Street  
Oklahoma City, OK 73105

***Attorney for Plaintiff,  
Oklahoma State Board of Medical  
Licensure and Supervision***

  
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Shelley Crowder