

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

FILED

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

AUG 08 2002

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff,)

Case No. 02-05-2506

v.)

CANDACE CAI EISCHEN, PTA)
LICENSE NO. TA476)

Defendant.)

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, Candace Cai Eischen, PTA, 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 Physical Therapy Assistants in the State of Oklahoma pursuant to 59 Okla. Stat. §887.1 *et seq.*

2. Defendant, Candace Cai Eischen, PTA, holds Oklahoma license no. TA476, and is authorized to practice as a physical therapy assistant in the State of Oklahoma.

3. On or about January 15, 2002, January 18, 2002, January 23, 2002 and January 26, 2002, Defendant submitted Physical Therapy Progress Notes to her employer, HealthBack Home Health, wherein she represented that she provided physical therapy assistant services to Patient BBW at her home on these dates. On each of these Physical Therapy Progress Notes, Defendant forged the signature of Patient BBW's sister. Interviews with Patient BBW's family revealed that Patient BBW died on January 10, 2002 and thus, could not have received physical therapy on these dates. Defendant subsequently admitted that she did not perform any physical therapy on Patient BBW on these dates and forged the signature of Patient BBW's sister on the Physical Therapy Progress Notes.

4. On or about January 18, 2002 and January 24, 2002, Defendant submitted Physical Therapy Progress Notes to her employer, HealthBack Home Health, wherein she represented that she provided physical therapy assistant services to Patient CHW at his home on

these dates. On each of these Physical Therapy Progress Notes, Defendant forged the signature of Patient CHW. Defendant subsequently admitted that she did not perform any physical therapy on Patient CHW on these dates and forged the signature of Patient CHW on the Physical Therapy Progress Notes.

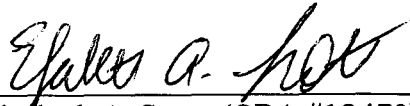
5. On or about January 18, 2002, Defendant submitted a Physical Therapy Progress Note to her employer, HealthBack Home Health, wherein she represented that she provided physical therapy assistant services to Patient CRW at her home on that date. On the Physical Therapy Progress Note, Defendant forged the signature of Patient CRW. Defendant subsequently admitted that she did not perform any physical therapy on Patient CRW on this date and forged the signature of Patient CRW on the Physical Therapy Progress Note.

6. Defendant is guilty of unprofessional conduct in that she:
- A. Is guilty of conduct unbecoming a person licensed as a physical therapist or physical therapy assistant or guilty of conduct detrimental to the best interests of the public or his profession in violation of 59 O.S. §887.13(9).
 - B. Is guilty of any act in conflict with the ethics of the profession of physical therapy in violation of 59 O.S. §887.13(10).

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 physical therapy assistant license, and an assessment of costs and attorney's fees incurred in this action as provided by law.

Respectfully submitted,



Elizabeth A. Scott (OBA #12470)
Assistant Attorney General
State of Oklahoma
5104 N. Francis, Suite C
Oklahoma City, OK 73118

Attorney for the Plaintiff