

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,)

JUL 17 2003

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff,)

v.)

Case No. 03-02-2607

LARRY DAVID CROSSLAND, PTA)
LICENSE NO. TA478)

Defendant.)

VOLUNTARY SUBMITTAL TO JURISDICTION AND ORDER

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 for the State of Oklahoma and the staff of the Board, as represented by the Secretary of the Board, Gerald C. Zumwalt, M.D., and the Executive Director of the Board, Lyle Kelsey, and the Defendant, Larry David Crossland, P.T.A. License No. TA478, who appears in person, without an attorney, proffer this Agreement for acceptance by the Board *en banc* pursuant to Section 435:5-1-5.1 of the Oklahoma Administrative Code ("OAC").

Agreement and Acknowledgment by Defendant

By voluntarily submitting to jurisdiction and entering into this Order, Defendant pleads guilty to the allegations in the Complaint and Citation filed herein on June 5, 2003, and acknowledges that hearing before the Board would result in some sanction under the Physical Therapy Practice Act (the "Act").

Defendant, Larry David Crossland, P.T.A., states that he is of sound mind and is not under the influence of, or impaired by, any medication or drug and that he fully recognizes his right to appear before the Board for evidentiary hearing on the allegations made against him. Defendant hereby voluntarily waives his 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 further acknowledges that he is entitled to have his interests represented by legal counsel and that he has elected to proceed without legal representation, thereby waiving his right to an attorney. Defendant acknowledges that he has read and understands the terms and conditions stated herein.

Parties' Agreement and Stipulations

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

Findings of Fact

1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physical therapists and physical therapy assistants in the State of Oklahoma pursuant to 59 Okla. Stat. §887.1 *et seq.*

2. Defendant, Larry David Crossland, P.T.A., is a licensed physical therapy assistant in the State of Oklahoma, holding license no. TA478.

3. Beginning December 11, 2002 and continuing through December 31, 2002, Defendant provided physical therapy assistant services to Patient PRK on nine (9) separate occasions. During this time, Defendant provided treatment that was not consistent with the written plan of care formulated by the physical therapist who had performed the initial evaluation. Additionally, Defendant added and deleted treatment not authorized by the physical therapist.

4. Beginning November 4, 2002 and continuing through December 27, 2002, Defendant provided physical therapy assistant services to Patient WHK on six (6) separate occasions. During this time, Defendant provided therapy that was not consistent with the written plan of care formulated by the physical therapist who had performed the initial evaluation. Additionally, Defendant added treatment not authorized by the physical therapist.

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

- 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. Practiced physical therapy other than under the referral of a physician, surgeon, dentist, chiropractor or podiatrist duly licensed to practice medicine or surgery or in the case of practice as a physical therapist assistant, has practiced other than under the direction of a licensed physical therapist in violation of 59 O.S. §887.13(1).
- C. 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).

Conclusions of Law

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Physical Therapy Practice 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, Larry David Crossland, P.T.A., Oklahoma License No. TA478, by reason of the above facts, is guilty of unprofessional conduct under the Physical Therapy Practice Act in that:

- 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. Practiced physical therapy other than under the referral of a physician, surgeon, dentist, chiropractor or podiatrist duly licensed to practice medicine or surgery or in the case of practice as a physical therapist assistant, has practiced other than under the direction of a licensed physical therapist in violation of 59 O.S. §887.13(1).
- C. 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).

Order

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

1. The Board *en banc* hereby adopts the agreement of the parties in this Voluntary Submittal to Jurisdiction.

2. Pursuant to the parties' voluntary agreement and submittal to jurisdiction, Larry David Crossland, P.T.A., holding Oklahoma physical therapy assistant license no. TA478 is hereby **FORMALLY REPRIMANDED** with the following additional requirements:

- a. Defendant will conduct his practice in compliance with the Physical Therapy Practice Act as interpreted by the Board. Any question of

interpretation regarding the Act or this Order shall be submitted in writing to the Board, and no action based on the subject of the question will be taken by Defendant until clarification of interpretation is received by Defendant from the Board.

- b. Defendant will furnish to each and every state in which he holds licensure or applies for licensure and to each and every hospital, clinic or other institution in which he holds or anticipates holding any form of staff privileges or employment a copy of this Order stipulating sanctions imposed by the Board.
- c. All treatment records for patients treated by Defendant shall be reviewed by Defendant's supervising physical therapists. Defendant shall obtain quarterly reports from his supervising physical therapists setting forth his compliance with the Physical Therapy Practice Act, his compliance with treatment plans, and his communication of any need for altering treatment plans or reassessment of a patient. The first report shall be due on or before October 31, 2003. It shall be the responsibility of the Defendant to insure that these reports are submitted to the Board or its designee on a timely basis. This requirement shall not be modified without the express approval of the Board.
- d. All forms, charts, progress notes and other documents related to the practice of physical therapy signed by the Defendant shall also be signed by Defendant's supervising physical therapist.
- e. All charts signed by Defendant shall be subject to a random audit by the Compliance Consultant or his designee. Said charts shall be reviewed by the Physical Therapy Advisory Committee at its next regularly scheduled meeting after the records have been retrieved.
- f. The burden of supplying all forms, reports and charts as set forth herein shall be on the Defendant, and any failure to submit the required documents to the Physical Therapy Advisory Committee on a

timely basis shall be grounds for requiring a personal appearance by the Defendant based upon noncompliance with this Agreement.

- g. Defendant shall prepare and submit an article or letter to the Physical Therapy Association and to the Board addressing the relationship between physical therapists and physical therapy assistants. The article or letter shall be submitted within one (1) year of the date of this Agreement.
- h. Defendant will keep current payment of all assessments made by the Board for costs of prosecution, investigation and monitoring of his case.
- i. Until such time as all indebtedness to the Board has been satisfied, Defendant will reaffirm said indebtedness in any and all bankruptcy proceedings.
- j. Failure to meet any of the terms of this Board Order will constitute cause for the Board to initiate additional proceedings to suspend, revoke or modify Defendant's license after due notice and hearing.


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, and shall keep current all payments for monitoring his compliance with this agreement.

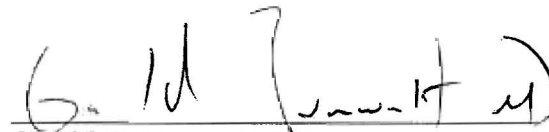
Dated this 17 day of July, 2003.

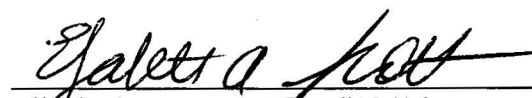


Eric Frische, M.D., President
Oklahoma State Board of Medical
Licensure and Supervision

AGREED AND APPROVED:


Larry David Crossland, P.T.A.
License No. TA478

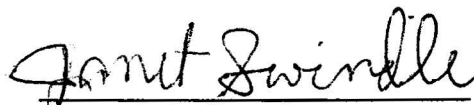

Gerald C. Zumwalt, M.D.
Secretary & Medical Advisor
Oklahoma State Board of Medical
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Attorney for the Oklahoma State Board
of Medical Licensure and Supervision

CERTIFICATE OF MAILING

I CERTIFY that on the 18th day of July, 2003, I mailed, via first class mail, postage prepaid, a true and correct copy of this Voluntary Submittal Jurisdiction to Larry Crossland, PTA, 513 SW 56th, Oklahoma City, OK 73109.


Janet Swindle, Secretary