

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

FILED

STATE OF OKLAHOMA, ex rel.,)
OKLAHOMA STATE BOARD OF)
MEDICAL LICENSURE AND)
SUPERVISION,)
)
Plaintiff,)
)
vs.)
)
MARY SUSAN MCCAMMON, PT)
LICENSE NO. 574,)
)
)
Defendant.)

JUN - 2 2005

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

CASE NO. 05-04-2954

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, Mary Susan McCammon, PT, 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 therapists in the State of Oklahoma pursuant to 59 O.S. §§ 480 *et seq.* and 887.1 *et seq.*

2. Defendant, Mary Susan McCammon, PT holds physical therapist license no. 574 in the State of Oklahoma.

3. From August 28, 2004 through September 19, 2004, Defendant obtained treatment for alcoholism at the St. Anthony Start Program.

4. From October 11, 2004 through November 21, 2004, Defendant obtained treatment for alcoholism at Valley Hope in Cushing.

5. On or about January 26, 2005, Defendant submitted her Application for Renewal of Oklahoma License. On her application, Defendant was asked the following questions:

"Since the last renewal or initial licensure (whichever is most recent), have you been addicted to or abused any drug or chemical substance including alcohol?"

"Since the last renewal or initial licensure (whichever is most recent), have you obtained an assessment or been treated for use of any drug or chemical substance including alcohol?"

In response to both of these questions, Defendant answered "No."

6. Title 59 O.S. §508 provides as follows:

"Whenever any license has been procured or obtained by fraud or misrepresentation...it shall be the duty of the State Board of Medical Licensure and Supervision to take appropriate disciplinary action in the same manner as is provided... for the disciplining of unprofessional conduct."

Section 508 further provides as follows:

"Use of fraudulent information to obtain a license shall be a misdemeanor offense, punishable, upon conviction, by the imposition of a fine of not less than One Thousand Dollars (\$1,000.00), or by imprisonment in the State Penitentiary for not more than one (1) year, or by both such fine and imprisonment."

7. On March 25, 2005, Defendant was working at Bone and Joint Hospital in Oklahoma City, Oklahoma. She returned from her lunch break at which time a co-worker noted that she smelled like alcohol, "was incoherent and was unable to stand up straight". Defendant admitted to her co-worker that he had been drinking, at which time she was asked to submit to a breath alcohol test. The test indicated a breath alcohol level of 0.227.

8. Based upon her positive drug test, Defendant was terminated by Bone and Joint Hospital.

9. Based on the allegations stated above, Defendant is guilty of unprofessional conduct as follows:

A. Used ... intoxicating liquors to an extent which affects the professional competency of the licensee in violation of 59 O.S. §887.13(4).


- B. 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).
 - 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).
 - D. Is guilty of dishonorable or immoral conduct that is likely to deceive, defraud, or harm the public in violation of OAC 435:20-5-8(b)(5).
 - E. Engaged in conduct which potentially or actually jeopardizes a patient's life, health or safety in violation of OAC 435:20-5-8(b)(9).
 - F. Is guilty of habitual intemperance ... [to any] substance that could result in behavior that interferes with the practice of physical therapy and the responsibilities of the licensee in violation of OAC 435:20-5-8(b)(13).
 - G. Obtained or attempted to obtain a license as a physical therapist... by fraud or deception in violation of 59 O.S. §887.13(6) and OAC 435:20-5-8(b)(22).
 - H. Falsified documents submitted to the Physical Therapy Committee or the Oklahoma State Board of Medical Licensure and Supervision in violation of OAC 435:20-5-8(b)(21).
- Violated any provision of the Physical Therapy Practice Act or the rules and regulations of the board or of an action, stipulation, agreement or order of the Board in violation of OAC 435:20-5-8(b)(31).

7. These allegations raise serious concerns about Defendant's ability to practice as a physical therapist in the State of Oklahoma with reasonable skill and safety.

WHEREFORE, plaintiff 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, the assessment of costs and fees incurred in this action, and any other appropriate action with respect to Defendant's license to practice as a physical therapist in the State of Oklahoma.

Dated this 2nd day of June, 2005.

Respectfully submitted,



Elizabeth A. Scott (OBA #12470)

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Attorney for State ex rel.

Oklahoma Board of Medical Licensure and
Supervision