

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

JUN 15 2007

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

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff,)

vs.)

CASE NO. 05-04-2953

MARY SUSAN MCCAMMON, PT)
LICENSE NO. PT574,)

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, 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. PT574 in the State of Oklahoma and is authorized to practice as a physical therapist under the terms of a Voluntary Submittal to Jurisdiction entered September 22, 2005 with a five (5) year term of probation.

3. The Voluntary Submittal to Jurisdiction sets forth Defendant's terms of probation and provides that Defendant shall be on probation as follows:

E. Defendant will take no medication except that which is authorized by a physician treating her for a legitimate medical need. Defendant has the affirmative duty to inform any and every doctor treating her of the Board Order immediately upon initiation, or continuation of treatment.

F. Defendant will have the affirmative duty not to ingest any substance which will cause a body fluid sample to test positive for prohibited substances, including, but not limited to alcohol.

4. The provisions cited above have not been modified or deleted but remain in full force and effect as terms and conditions of Defendant's probation.

5. On or about May 24, 2007, Defendant tested positive for benzodiazepines on a drug screen obtained on behalf of the Oklahoma Health Professionals Recovery Program. Defendant admitted that she had ingested some Valium she had obtained from her brother-in-law. She also admitted that she did not have a prescription for the medication and that no physician had authorized it for her.

6. On or about June 7, 2007, Defendant met with Dr. Zumwalt, Board Secretary, and Tom Sosbee, Compliance and Education Coordinator for the Board. During this meeting, Defendant admitted that she chronically takes Benadryl and has not reported use of this medication to Tom Sosbee in her Monthly Self-Supervision reports, or to Robert B. Nisbet, M.D., her psychiatrist. Defendant also admitted that she had not reported her use of her brother-in-law's Valium to Dr. Nisbet.

7. Defendant is guilty of unprofessional conduct in that she:

- A. Used drugs, narcotics, medication, or 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. Engaged in 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 the habitual intemperance or addicted use of any drug, chemical or 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).
- F. Engaged in the unauthorized possession or use of illegal or controlled substances or pharmacological agents without lawful authority or prescription by an authorized and licensed independent practitioner of the State of Oklahoma in violation of OAC 435:20-5-8(b)(14).

- G. 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).

8. 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 15th day of June, 2007.

Respectfully submitted,


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Oklahoma Board of Medical Licensure and
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