

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

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

Plaintiff,)

vs.

CHARLES DOUGLAS WILKIE, PTA)
LICENSE NO. TA589,)

Defendant.)

FILED

AUG 02 2002

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

CASE NO. 01-02-2310

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, Charles Douglas Wilkie, 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 O.S. §§ 480 *et seq.* and 887.1 *et seq.*

2. Defendant, Charles Douglas Wilkie, PTA holds physical therapy assistant license no. TA589 in the State of Oklahoma and is authorized to practice as a physical therapy assistant under the terms of a Voluntary Submittal to Jurisdiction entered September 27, 2001 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 him for a legitimate medical need. Defendant has the affirmative duty to inform any and every doctor treating him 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.

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 June 5, 2002, Defendant tested positive for Oxazepam, a Schedule IV controlled dangerous substance, on a drug screen obtained on behalf of the Oklahoma State Board of Medical Licensure and Supervision. Defendant admitted that he did not have a prescription for the medication, no physician had authorized it for him, and that he had no recollection of taking this medication.

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

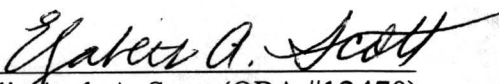
- A. Used drugs, narcotics, medication, or intoxicating liquors to an extent which affects the professional competency of the licensee in violation of 59 O.S. §887.13(4).
- B. Is guilty of conduct unbecoming a person licensed as a physical therapist or physical therapy assistant or guilty of conduct 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).

7. These allegations raise serious concerns about Defendant's ability to practice as a physical therapy assistant 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 therapy assistant in the State of Oklahoma.

Dated this 1st day of August, 2002.

Respectfully submitted,


Elizabeth A. Scott (OBA #12470)
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Attorney for State ex rel.
Oklahoma Board of Medical Licensure and
Supervision