

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

FILED

JAN 25 2007

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

Plaintiff,

v.

KEVIN MARK EKISS, OT
LICENSE NO. OT604

Defendant.

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 06-12-3214

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, Kevin Mark Ekiss, OT, alleges and states as follows:

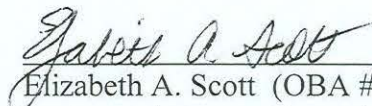
1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of Occupational Therapists in the State of Oklahoma pursuant to 59 Okla. Stat. §888.9 *et seq.*
2. Defendant, Kevin Mark Ekiss, OT, holds Oklahoma license no. OT604, and is authorized to practice as an occupational therapist in the State of Oklahoma.
3. On or about November 24, 2006, Defendant was arrested by the Guthrie Police Department and charged with **POSSESSION OF MARIJUANA, POSSESSION OF DRUG PARAPHERNALIA, TRANSPORTING AN OPEN CONTAINER OF ALCOHOL**, and an equipment violation on his car.
4. On or about January 11, 2007, Defendant plead guilty to the charges and received a one (1) year deferred sentence. Defendant was also ordered to pay court costs and assessments, and was ordered to complete twenty-five (25) hours of community service within six (6) months.
5. Defendant is guilty of unprofessional conduct in that he:

- A. Engaged in unprofessional conduct as defined by the rules established by the Board, or violated the Code of Ethics adopted and published by the Board in violation of 59 O.S. §888.9(A)(2).
- B. Violated any provision of this act in violation of 59 O.S. §888.9(A)(5) and 435:30-1-10(29).
- C. Was convicted of, confessed to, or plead no contest to a felony or misdemeanor in violation of 435:30-1-10(a)(2).
- D. Engaged in dishonorable or immoral conduct that is likely to deceive, defraud, or harm the public in violation of 435:30-1-10(a)(3).
- E. Engaged in the habitual intemperance or the habitual use of habit-forming drugs in violation of 435:30-1-10(a)(10).
- F. 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 occupational therapy and the responsibilities of the licensee in violation of 435:30-1-10(a)(11).
- G. 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 435:30-1-10(a)(12).

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 occupational therapist 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