

**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,)
)
v.)
)
MELISSA D. FORD,)
LICENSE NO. TA 807,)
)
Defendant.)

FILED

OCT 12 2021

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 21-10-6054

VERIFIED COMPLAINT

The State of Oklahoma, *ex rel.* Oklahoma State Board of Medical Licensure and Supervision ("Board"), alleges and states as follows for its Complaint against **MELISSA D. FORD, PHYSICAL THERAPY ASSISTANT (TA)** ("Defendant"):

I. JURISDICTION

1. The Board has jurisdiction over the subject matter and 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. **59 O.S. § 887.5** and **Okla. Admin. Code 435:20-5-8**.
2. In Oklahoma, Defendant holds Oklahoma license no. TA 807.

II. ALLEGATIONS OF UNPROFESSIONAL CONDUCT

3. Defendant was discharged from the Allied Professional Peer Assistance Program (APPA) on October 21, 2020 for a DUI arrest occurring on or about October 17, 2020. Her license was summarily suspended on October 22, 2020. On January 21, 2021, an Order of Reinstatement of License Under Terms of Probation was entered by the Board. The Probationary term was set at five (5) years.

4. Defendant quickly violated the terms of her probation, as evidenced by the results of a random urine drug screen (“UDS”) on March 17, 2021 which was positive for Ethyl Glucuronide (ETG). Defendant had not notified the Compliance Coordinator of her relapse; however, when confronted with the UDS results, Defendant admitted to drinking in violation of her probation. More specifically, Defendant violated Specific Terms 2(c) and 2(n) of the Agreed Order Granting Reinstatement of License.
5. Consequently, on May 13, 2021, the Board suspended Defendant’s license for a period of ninety (90) days, effective March 30, 2021. Defendant remained on probation under the prior order of January 21, 2021, and all terms and conditions thereof remained in full force and effect.
6. Defendant has a significant history of inappropriate use of and dependency on alcohol, partly evidenced by her criminal history in the District Court of Garfield County:
 - a. On June 28, 2017, Case No. **CM-2017-709**, Defendant was charged with one count of Driving a Motor Vehicle While Under the Influence of Alcohol (Aggravated), in violation of 47 O.S. § 11-902(D). Defendant did not dispute the charges, and received a deferred sentence consisting of an 18-month probationary term.
 - b. On January 9, 2018, Defendant again drove a motor vehicle while under the influence of alcohol and was charged in Case No. **CF-2018-25** with Driving a Motor Vehicle While Under the Influence of Alcohol, a FELONY, in violation of 47 O.S. § 11-902(A)(2). Defendant did not dispute the charges and agreed to complete inpatient treatment, then to successfully complete the Garfield County Drug Court Program. Defendant successfully completed Drug Court on or about April 9, 2020 after approximately one (1) year.
 - c. Defendant is currently serving a five (5) year prison term in the custody of the Oklahoma Department of Corrections in Case No. **CF-2018-95**. Defendant’s sentence began on May 25, 2021 after Defendant was convicted of Driving a Motor Vehicle While Under the Influence of Alcohol, a FELONY, in violation of 47 O.S. § 11-902(A)(2).
 - d. On September 15, 2021, Case No. **CF-2020-401**, Defendant was convicted of one count of Driving a Motor Vehicle While Under the Influence of Alcohol – Second Offense Within 10 Years, a FELONY, in violation of 47 O.S. § 11-902(A)(2)&(C)(2). Defendant was sentenced to five (5) years in the custody of the Department of Corrections, all suspended, conditioned on Defendant’s entry into and successful completion of the Garfield County Mental Health Court Program upon the discharge of her sentence and release from prison in CF-2018-95. If Defendant fails to successfully complete the condition and her suspended sentence is revoked, she will return to prison for a term of up to 6 years in CF-2020-401.

7. Defendant has demonstrated a relationship with alcohol that is inappropriate and habitual.
8. Defendant's use of alcohol could result in behavior that interferes with the practice of physical therapy and the responsibilities of Defendant's license.
9. Defendant has been convicted of two or more felony crimes (in **CF-2018-95** and **CF-2020-401**) that pose a reasonable threat to public safety.

III. VIOLATIONS

10. Based on the foregoing, Defendant is guilty of unprofessional conduct as follows:
 - a. Habitual intemperance or the habitual use of habit-forming drugs, in violation of Okla. Admin. Code § 435: 20-5-8(b)(2).
 - b. Felony conviction that poses a reasonable threat to public safety, in violation of OAC § 435: 20-5-8(b)(3) and Okla. Stat. tit. 59 § 887.13(5).
 - c. 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)(12).
 - d. Guilty of conduct unbecoming a person licensed as a physical therapist assistant or guilty of conduct detrimental to the best interests of the public or the profession, in violation of Okla. Stat. tit. 59 § 887.13(9).
 - e. Guilty of any act in conflict with the ethics of the profession of physical therapy, in violation of OAC § 435: 20-5-9(10) and Okla. Stat. tit. 59 § 887.13(10).

IV. CONCLUSION

Given the foregoing, the undersigned respectfully requests the Board conduct a hearing and, upon proof of the allegation(s), impose an appropriate punishment pursuant to the applicable law and rules on **MELISSA D. FORD, TA**, including an assessment of costs and attorney fees incurred in this action as provided by law.

Respectfully Submitted,



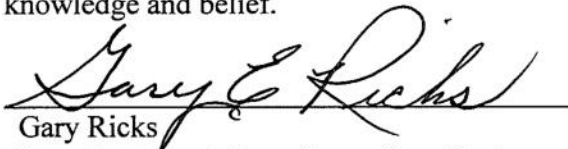
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VERIFICATION

I, Gary Ricks, under penalty of perjury, under the laws of the State of Oklahoma, state as follows:

1. I have read the above Complaint regarding the Defendant, MELISSA D. FORD, TA.; and

2. The factual statements contained therein are true and correct to the best of my knowledge and belief.



Gary Ricks
Investigator and Compliance Coordinator
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION

Date: 10-4-21