

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. ) Case No. 21-10-6054
MELLISA D. FLAMING FORD, P.T.A., )
LICENSE NO. TA 807 )
Defendant. )

FILED

SEP 15 2022

OKLAHOMA STATE BOARD OF MEDICAL LICENSURE & SUPERVISION

ORDER GRANTING REINSTATEMENT OF LICENSE UNDER TERMS OF PROBATION

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision ("Board") on September 15, 2022, at the office of the Board, 101 N.E. 51st Street, Oklahoma City, Oklahoma 73105, pursuant to notice given as required by law and rules of the Board.

This Order Granting Reinstatement of License Under Terms of Probation After Revocation is entered into by and between Billy H. Stout, Secretary of the Board and Melissa D. Flaming Ford, P.T.A. 59 O.S. §§ 506(A).

Billy H. Stout, M.D., Board Secretary appeared in person on behalf of Plaintiff. Defendant appeared in person, pro se. Plaintiff and Defendant are collectively referred to herein as the "Parties."

The Board heard representations of the Parties, reviewed the exhibits presented and being fully advised of the premises, makes the following findings of fact, conclusions of law and orders.

FINDINGS OF FACT

The Plaintiff, Defendant and the Board staff stipulate and agree as follows:

- 1. On September 2, 1999, Defendant was issued Oklahoma physical therapy assistant license no. 807.
2. On October 22, 2020, an Immediate Summary Suspension of Physical Therapist Assistant License ("ISS") was filed by the Board as a result of her dismissal from APPA due to a DUI.
3. On January 15, 2021, Defendant applied for reinstatement of her Oklahoma physical therapist assistant license.
4. An Agreed Order Granting Reinstatement of License Under Terms of Probation After Immediate Summary Suspension, was filed on January 21, 2021, with terms and

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conditions of five (5) years probation ("2021 Agreed Order Granting Reinstatement Under Probation").

5. On April 16, 2021, Plaintiff filed a Motion to Enforce Board Order ("Motion to Enforce"), for violations of the 2021 Agreed Order Granting Reinstatement Under Probation.
6. On May 13, 2021, an Order Granting Motion to Enforce Board Order was entered and filed herein on June 15, 2021. The order suspended her license for ninety (90) days and incorporated the terms and conditions of the 2021 Agreed Order Granting Reinstatement Under Probation.
7. On October 12, 2021, a Verified Complaint ("2021 Complaint") and Citation were each filed by the Board alleging Defendant has been convicted of 2 or more felony crimes that pose a reasonable threat to public safety.
8. On January 20, 2022, Defendant filed a Voluntary Surrender of License in Lieu of Prosecution. ("SILOP")
9. On June 1, 2022, Defendant applied for reinstatement of her Oklahoma medical license ("2022 Application for Reinstatement").
10. Any conclusion of law below which is more properly characterized as a finding of fact is hereby incorporated as a finding of fact.

#### CONCLUSIONS OF LAW

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 physicians and surgeons in the State of Oklahoma. 59 O.S. § 480 *et seq.*, 59 O.S. 492 *et seq.*; Okla. Admin. Code §§ 435:5-1-1 *et seq.*, 435:10-4-2.
2. Notice was provided as required by law and the rules of the Board. 75 O.S. § 309; 59 O.S. § 504; Okla. Admin. Code §§ 435:3-3-5, 435:3-3-6.
3. The Board may require satisfactory evidence of professional competence and good moral character from applicants requesting reinstatement of any license or certificate issued by the Board. 59 O.S. § 495h.
4. Defendant has met all requirements for reinstatement of her license. 59 O.S. § 492.1 *et seq.*, Okla. Admin. Code §§ 435:5-1-6, *et seq.*, 435:5-1-6.1.
5. The Board may approve reinstatement with terms of probation or restrictions as deemed necessary to protect the health, safety and well-being of the public. Okla. Admin. Code §§ 435:5-1-6.
6. Any finding of fact above which is more properly characterized as a conclusion of law is hereby incorporated as a conclusion of law.

ORDERS

IT IS THEREFORE ORDERED by the Oklahoma State Board of Medical Licensure and Supervision as follows:

- 7. Pursuant to the terms and conditions herein stated, the Oklahoma physical therapist assistant license no. TA 807 of MELISSA D. FLAMING FORD, P.T.A., is REINSTATED, effective on the date of the filing of this order.
- 8. MELISSA D. FLAMING FORD, P.T.A. is hereby placed on INDEFINITE PROBATION.
- 9. MELISSA D. FLAMING FORD, P.T.A. shall comply with all the following terms and conditions:

Specific Terms:

- a. Defendant shall be required to submit to random urine drug screens, PEth tests, hair tests, nail tests and breathalyzer tests. The testing will be scheduled and monitored by the Board Compliance Coordinator.
- b. Defendant shall promptly notify the Compliance Coordinator of any relapse, including and entry, or re-entry, into a treatment program for substance abuse, including alcohol.
- c. All of Defendant's prospective employment shall be approved of in advance by the Board Secretary. If Defendant desires to change her employment, the proposed working environment must be approved of in advance by the Board Secretary
- d. Upon return to practice, Defendant shall not work more than forty (40) hours per week for six (6) months after return to practice. Any request to work more than forty hours per week must be approved of in advance by the Board Secretary.
- e. Defendant shall attend a minimum of three (3) twelve step recovery meetings per week and submit proof of attendance to the Compliance Coordinator.
- f. Within six (6) months, Defendant will obtain a sponsor with a minimum of two (2) years of sobriety.
- g. Immediately upon learning that Defendant is in violation of the terms of her ~~suspension~~ as set forth in the Deferment order entered in the cases styled *State of Oklahoma v. Melissa D. Flaming Ford*, Case Nos. CF-2018-95 and CF-2020-401 (District Court of Garfield County, State of Oklahoma), the Executive Director of the Board may summarily suspend Defendant's license based on imminent harm to the public and assign a shearing date for the matter to be presented at the next scheduled Board meeting. 59 O.S. § 506(B).

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Standard Terms:

- h. Defendant shall conduct her practice in compliance with the Oklahoma Physical Therapy Practice Act ("Act") as interpreted by the Board. Any question of interpretation regarding the Act or this Order shall be submitted in writing to the Board, and no action based on the subject of the question will be taken by Defendant until clarification of interpretation is received by Defendant from the Board or its authorized designee. 59 O.S. § 887.1 *et seq.*

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- i. Defendant shall furnish a file-stamped copy of this Order stipulating terms imposed by the Board, to each and every state in which she holds licensure or applies for licensure and to all hospitals, clinics, or other facilities in which he/she holds or anticipates holding any form of staff privileges or employment.
- j. Defendant will keep the Board informed of her current address.
- k. Defendant will keep current payment of all assessments by the Board for prosecution, investigation, and monitoring of her case, which shall include, but is not limited to, a fee of one hundred fifty dollars (\$150.00) per month during the term of probation, unless Defendant affirmatively obtains a deferment of all or part of said fees upon presentation of evidence that is acceptable to the Board Secretary.
- l. Until such time as all indebtedness to the Board has been satisfied, Defendant will reaffirm said indebtedness in any bankruptcy proceeding.
- m. For good cause shown, upon request of the Board or its designee, Defendant will submit biological specimens for analysis, including but not limited to, blood, urine, hair follicle and nail samples, and Defendant will pay the costs attendant thereto.
- n. Defendant will have the affirmative duty not to ingest any substance, including but not limited to alcohol, which will cause a body fluid sample to test positive for prohibited substances.
- o. Defendant will take no medication except that which is authorized by a physician treating her for a legitimate medical need, and only during that time in which she is being treated by the physician for that specific medical need. Defendant has the affirmative duty to inform any and every doctor treating her of this Order immediately upon initiation, or continuation of treatment. In the event that Defendant is prescribed any controlled dangerous substance during the term of this Order, Defendant shall contact the Board Secretary and/or the Compliance Coordinator to discuss the prescription.
- p. Defendant shall promptly notify the Board Secretary or Compliance Coordinator of any citation or arrest for traffic or for criminal offenses.
- q. Upon request, Defendant shall make herself available for one or more personal appearances before the Board or its authorized designee.
- r. Defendant will execute such releases of medical and psychiatric records during the entire term of this Order as necessary for use by the Board Secretary and/or Compliance Coordinator to obtain copies of medical records and assessments and authorize the Board Secretary and/or Compliance Coordinator to discuss Defendant's case with Defendant's treating physicians and/or any physicians holding Defendant's records.
- s. If Defendant moves her residence or practice location out of the State of Oklahoma during this Order, this Order will be tolled until such time as Defendant returns to the State of Oklahoma and begins practicing within the state. Defendant will notify the Board Secretary and/or Compliance Coordinator prior to moving out-of-state.
- t. Failure to meet any of the terms of this Order will constitute cause for the Board to initiate additional proceedings to suspend, revoke or modify Defendant's license after due notice and hearing.
- u. Immediately upon learning that a licensee is in violation of a Board-ordered



probation, the Executive Director of the Board may summarily suspend the license based on imminent harm to the public and assign a shearing date for the matter to be presented at the next scheduled Board meeting. 59 O.S. § 506(B).

V. Defendant shall submit any required reports and forms on a timely and prompt basis to the Compliance Coordinator or authorized designee.

W. Defendant shall obey all state, federal and local laws governing the practice of medicine in the State of Oklahoma. Licensee shall immediately notify the Board or its designee of any arrest or charge filed against her.

X. Any violation of the terms, conditions and requirements of this Agreement shall constitute evidence of unprofessional or dishonorable conduct, which may result in disciplinary action, including suspension or revocation.

10. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees, investigation costs, staff time, salary and travel expenses, witness fees and attorney's fees.

11. A copy of this Order shall be provided to Defendant as soon as it is processed.

Dated this 15<sup>th</sup> day of September, 2022.

*Steve Kotecinski*

Billy H. Stout, M.D., Board Secretary Don Wilber, M.D., President

OKLAHOMA STATE BOARD OF MEDICAL OKLAHOMA STATE BOARD OF MEDICAL

LICENSURE AND SUPERVISION LICENSURE AND SUPERVISION

*Melissa Flaming Ford, P.T.A.*

Melissa D. Flaming Ford, P.T.A.

License TA 807

*Melissa Flaming Ford, P.T.A.*

□

**ACKNOWLEDGMENT**

STATE OF OKLAHOMA )

) ss.

COUNTY OF Oklahoma )

This instrument was acknowledged before me on the 15 day of September, 2022, by Melissa D. Flaming Ford



Notary Public *Lisa Kullen*  
Commission Expiration: 08/09/2024

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12th September

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**CERTIFICATE OF SERVICE**

This is to certify that on the 16<sup>th</sup> day of September, 2022, the foregoing instrument was transmitted as indicated, postage prepaid, to the following:

U.S. Certified Mail

Melissa D. Flaming Ford, P.T.A.  
3604 Last Chance  
Enid, OK 73703

  
Shelley Crowder

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