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

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STATE OF OKLAHOMA, ex rel.,)	——————————————————————————————————————
OKLAHOMA STATE BOARD OF)	AUG 1 6 2013
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SUPERVISION,)	OKLAHOMA STATE BOARD OF MEDICAL LICENSURE & SUPERVISION
Plaintiff,)	
Vs.)	CASE NO. 12-02-4505
QUINTON OZELL ROSS, RC,)	
LICENSE NO. RC 927,)	
)	
)	
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, Scott Randall Sullivan, Special Prosecutor, and for its Complaint against the Defendant, Quinton Ozell Ross, RC, 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 respiratory care practitioners in the State of Oklahoma pursuant to Title 59 Okla. Stat. §480 et seq. and §2026 et seq.
- 2. Defendant, Quinton Ozell Ross, RC, holds Oklahoma respiratory care license no. RC 927.
- 3. On or about February 24, 2012, Defendant, in an online renewal of his respiratory care therapist license no. RC 927, answered "YES" to the following questions:
 - "D. Have you ever been arrested for, charged with or convicted of a felony or misdemeanor other than a traffic violation?
 - F. Have you been addicted to or abused any drug or chemical substance including alcohol?" and

- G. Have you obtained an assessment or been treated for use of any drug or chemical substance including alcohol?"
- 4. Defendant also included the following explanation in his licensure renewal:
 - "D. Arrested October 2011 but not yet formally charged with armed robbery.
 - F. Treated at Laureate for alcohol abuse 2011.
 - G. Treated at Laureate for alcohol abuse 2011."
- 5. Upon investigation, it was found that on or about October 11, 2011, Defendant was arrested and charged with FELONY ROBBERY WITH DANGEROUS WEAPON (Count #1); and POSSESSION OF FIREARM DURING COMMISSION OF A FELONY (Count #2) in the District Court of Rogers County, State of Oklahoma, Case No. CF-2011-637.
- 6. Further investigation showed that on or about October 13, 2011, Defendant was arrested and charged with ELUDING A POLICE OFFICER (Count #1); RESISTING AN OFFICER (Count #2); and OBSTRUCTING AN OFFICER (Count #4) in the District Court of Tulsa County, State of Oklahoma, Case No. CF-2011-3887.
- 5. On or about February 26, 2013, Defendant waived his right to a jury trial and pled GUILTY to FELONY ROBBERY WITH DANGEROUS WEAPON (Count #1); and POSSESSION OF FIREARM DURING COMMISSION OF A FELONY (Count #2) in the District Court of Rogers County, State of Oklahoma, Case No. CF-2011-637. On July 9, 2013 Defendant was sentenced to ten (10) years with five (5) of those years to be served in the confinement of the Oklahoma Department of Corrections and the remaining five (5) years suspended.
- 6. On or about July 30, 2013, Defendant waived his right to a jury trial and pled GUILTY to ELUDING A POLICE OFFICER (Count #1); RESISTING AN OFFICER (Count #2); and OBSTRUCTING AN OFFICER (Count #4) in the District Court of Tulsa County, State of Oklahoma, Case No. CF-2011-3887. Defendant's sentencing in this matter is scheduled for October 1, 2013.
 - 8. Title 59 O.S. §513(A) provides as follows:
 - "Upon proof of a final felony conviction by the courts, the Board shall **revoke** the license..." (Emphasis added.)
 - 8. Defendant is guilty of unprofessional conduct in that he engaged in:

- a) Dishonest or unethical conduct in violation of Title 59 O.S. §2040(5);
- b) Has been guilty of unprofessional conduct as defined by the rules established by the Board, or of violating the code of ethics adopted by the board violation of Title 59 O.S. §2040(9);
- c) Conviction of, or plea to a felony in violation of Oklahoma Administrative Code Rule 435:5-3-(5); and
- d) Conviction of a drug related offense in violation of Oklahoma Administrative Code Rule 435:5-3-(6).
- 9. These allegations raise serious concerns about Defendant's ability to practice as a respiratory care therapist in the State of Oklahoma with reasonable skill and safety.

CONCLUSION

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 16 day of August, 2013.

Respectfully submitted,

Scott Randall Sullivan, OBA #11179

OKLAHOMA STATE BOARD OF MEDICAL

LICENSURE AND SUPERVISION

101 N.E. 51st Street

Oklahoma City, OK 73105

Attorney for Plaintiff