

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

CORDELIA JEAN MURRAY, O.T.A. CASE NO. 89-10-983
Certificate No. OA98,

Defendant.

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on January 13, 1990, at the office of the Oklahoma State Medical Association, 601 N.W. Expressway, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Daniel J. Gamino, Attorney, appeared for the Plaintiff; and Cordelia Jean Murray, O.T.A., Defendant, appeared by announcement, pro se, and announced ready to proceed without counsel.

The Board of Medical Licensure and Supervision heard testimony, reviewed exhibits, and being fully advised in the premises, the Board of Medical Licensure and Supervision therefore finds as follows:

FINDINGS OF FACT

1. That Defendant, Cordelia Jean Murray, O.T.A., holds Oklahoma Occupational Therapy Assistant Certificate No. OA98.
2. That the Board of Medical Licensure and Supervision en banc has jurisdiction over the subject matter herein and that notice has been given in all respects as required by law and the rules of the Board.
3. That on or around September 24, 1986, Defendant was treated as an in-patient at St. Anthony Hospital Chemical Dependency Unit for depression and detoxification from prescription drugs, Xanax and alcohol, and that on or around October 25, 1987, to November 5, 1987, Defendant was again hospitalized at St. Anthony Hospital Chemical Dependency Unit for the same reason.
4. That on or around December 22, 1989, Defendant, Cordelia Jean Murray, did read and execute Voluntary Submittal to Jurisdiction prepared in this cause, and that she has been in compliance with same since that date.

CONCLUSIONS OF LAW

1. That Cordelia Jean Murray, O.T.A., holding Occupational Therapy Assistant Certificate No. OA98, is in violation of the statutes relating to Occupational Therapy, 59 O.S. Supp. 1989, Sec. 888.9, to-wit:

"888.9: The Board...may suspend or revoke a license, or may censure a licensee, publicly or otherwise, or may impose probationary

conditions where the licensee...has been guilty of unprofessional conduct which has endangered or is likely to endanger the health, welfare, or safety of the public. Such unprofessional conduct includes:

2. Engaging in unprofessional conduct as defined by the rules established by the Board, or violating the Code of Ethics adopted and published by the Board."

2. That Cordelia Jean Murray, O.T.A., is in violation of the Rules and Regulations promulgated by this Board, specifically Section XVIII, Rule 6, to-wit:

"Rule 6: The Board may reprimand or place on probation any holder of an Occupational Therapist License or Occupational Therapy Assistant License or revoke or suspend any license issued to an Occupational Therapist or Occupational Therapy Assistant who is found in violation of the Act. Violations include but shall not be limited to the following:

B. Habitually uses intoxicating liquor or habit-forming drugs."

ORDER

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

1. That the Defendant, Cordelia Jean Murray, O.T.A., Oklahoma Occupational Therapy Assistant Certificate No. OA98, is hereby placed on PROBATION to the Oklahoma State Board of Medical Licensure and Supervision for a period of five (5) years beginning on January 13, 1990, under the following terms and conditions:

- (a) That during the period of probation Defendant will take no medication except that which is authorized by a physician treating her for a legitimate medical need and Defendant shall have an affirmative duty to inform any physician treating her of Defendant's previous chemical dependency and hospitalization therefor.
- (b) That during the period of probation Defendant will abstain from consuming alcohol or any substance, specifically including but not limited to, controlled dangerous substances, which would adversely affect her ability to practice occupational therapy as interpreted by the Occupational Therapy Advisory Committee and the Oklahoma State Board of Medical Licensure and Supervision.
- (c) During the period of probation Defendant will submit biological fluid specimens to include, but not limited to, blood and urine, for analysis, upon request of any investigator or other agent representing the Oklahoma State Board of Medical Licensure and Supervision, and Defendant will pay for testing and analysis of those specimens.
- (d) During the period of probation Defendant will continue to obtain periodic examinations by Professional Corporation of

Psychiatry, Shree S. Vinekar, M.D., or other physician approved by the Board, and shall authorize said physician to report to the Board periodically on Defendant's progress, and to continue all supportive programs recommended thereby.

- e During the period of probation Defendant will furnish to the office of the Oklahoma State Board of Medical Licensure and Supervision all current legal addresses and any change of address in writing.
- (f) Defendant shall appear before the Board en banc or a designated member thereof whenever requested to do so.
- (g) During the period of probation Defendant will submit to the Investigative Division of the Oklahoma State Board of Medical Licensure and Supervision any required reports and forms on a timely and prompt basis.
- (h) Pursuant to Section 26, H.B. 1478, 1987 Legislature, Defendant shall promptly pay upon receipt of invoice from the Investigation Division of the Board the cost of investigation, prosecution and probation of this case.

During the period of probation Defendant shall notify any hospital where she is employed or practices occupational therapy, of the terms and conditions of this Final Order and supply a copy thereof.

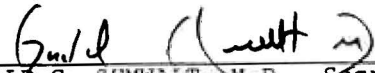
- (j) That violation of any of the terms and conditions of probation shall be grounds for additional charges to be presented to the Board after due notice to the Defendant.

2. That the jurisdiction of the Board in this individual proceeding will continue in this matter until the terms and conditions of probation are modified or withdrawn by the Oklahoma State Board of Medical Licensure and Supervision, either on their own motion or on the motion of the Defendant.

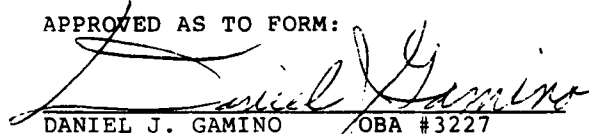
3. That the Defendant consents to the jurisdiction of the Occupational Therapy Advisory Committee to review this matter and to make any additional modifications of terms as they find advisable, and for them to recommend same to the Oklahoma Board of Medical Licensure and Supervision for their review and final action.

4. The Defendant further agrees that failure to meet any of the above terms of probation will constitute cause for the Board to initiate additional proceedings to suspend or revoke Defendant's Occupational Therapy Assistant Certificate, after additional due notice and hearing.

DATED this 18th day of January, 1990.


GERALD C. ZUMWALT, M.D., Secretary
State Board of Medical Licensure
and Supervision

APPROVED AS TO FORM:



DANIEL J. GAMINO OBA #3227
Daniel J. Gamino & Associates, P.C.
3315 NW 63
Oklahoma City, OK 73116
(405) 840-3741
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this 19 day of January, 1990, to:

CORDELIA JEAN MURRAY, O.T.A.

521 Maple Ave
Lyndon OK 73099

