



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-374A

Billy H. Stout, M.D., Board Secretary
State Board of Medical Licensure and Supervision
101 N.E. 51st Street
Oklahoma City, OK 73105

September 11, 2018

Dear Dr. Billy H. Stout, M.D., Board Secretary:

This office has received your request for a written Attorney General Opinion regarding action that the State Board of Medical Licensure and Supervision intends to take in case 11-11-4441. The licensee was previously disciplined by the Board for criminal charges of sexual predation upon both patients and employees. At that time, the Board and the licensee agreed upon an Order Accepting Voluntary Surrender to Jurisdiction under which the licensee surrendered his license and agreed to never reapply for licensure in this state. Prosecutors agreed that after this Order, all criminal charges would be dropped. The licensee has now filed a motion to modify that order to allow him to reapply for licensure. The Board proposes to deny the motion.

The Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act authorizes the Board to suspend or revoke a license and order other appropriate sanctions against a licensee for unprofessional conduct, which includes “[d]ishonorable or immoral conduct which is likely to deceive, defraud, or harm the public” and “[c]ommission of any act of sexual abuse, misconduct, or exploitation.” 59 O.S.Supp.2017, §§ 503, 509(8); OAC 435:10-7-4(23). The Board may reasonably believe that the proposed action is necessary to deter future violations and to protect the public.

It is, therefore, the official opinion of the Attorney General that the State Board of Medical Licensure and Supervision has adequate support for the conclusion that this action advances the State’s policy of protecting the health, safety, and welfare of the citizens of Oklahoma.

A handwritten signature in black ink that reads "Mike Hunter".

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in black ink that reads "Amanda Otis".

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL