



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2019-33A

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

January 24, 2019

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 pursuant to a consent order in regard to Application No. PA 3006. The applicant has submitted an application for licensure as a physician assistant. The applicant was convicted of one DUI in 2011 and another DUI in 2018. This history raised concerns of the applicant's fitness or ability to practice with reasonable skill and safety. The Board proposes to grant the application with conditions, which include standard and specific terms listed in the Agreement for Licensure.

The Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act authorizes the Board to "establish rules authorizing the issuance of conditional, restricted, or otherwise circumscribed licenses, or issuance of licenses under terms of agreement . . . as [] necessary for the public health, safety, and welfare." 59 O.S.2011, § 493.3(D). The Board's rules state that the Board Secretary may enter into an agreement with an applicant when "circumstances and/or conditions of an applicant raise questions as to the fitness or ability of the applicant to practice medicine . . . with reasonable skill and safety or questions as to prior actions of the applicant in this or any other jurisdiction which would constitute a violation of the Act or [Board] rules." OAC 435:10-4-11(b)(2). The Board may reasonably believe that the proposed action is necessary to protect public health.

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 well-being 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