



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2019-53A

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

February 20, 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 with respect to medical doctor licensee 13018 in case number 17-02-5441. After a hearing, the Board found by clear and convincing evidence that the licensee prescribed controlled dangerous substances (“CDS”) to patients without a sufficient examination in an amount that exceeded good medical practice and without a medical need, failed to maintain sufficient office records for each patient, and prescribed CDS to a family member. The Board proposes to immediately revoke the license and to require the licensee to pay all costs of the action.

The Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act authorizes the Board to revoke a license or impose other sanctions for unprofessional conduct. 59 O.S.Supp.2018, § 503. Unprofessional conduct includes “[d]ishonorable or immoral conduct which is likely to deceive, defraud, or harm the public,” “[p]rescribing, or administering a drug or treatment without sufficient examination and the establishment of a valid physician-patient relationship,” the “[p]rescribing, dispensing or administering of controlled substances or narcotic drugs in excess of the amount considered good medical practice,” and “[f]ailure to maintain an office record for each patient which accurately reflects the evaluation, treatment, and medical necessity of treatment of the patient.” 59 O.S.2011, § 509(8), (12), (16), (18). The Board may reasonably believe that the proposed action is necessary to protect public health and prevent future violations.

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 to ensure the adequate regulation of dangerous substances and to require that medical doctors observe minimum standards of professionalism.



MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA



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