



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2020-30A

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

August 26, 2020

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 licensee MD 16990 in case 08-08-3552. In 2013, the licensee agreed to specific terms in an Order of Reinstatement after a prior revocation. In December 2019, the Board filed a Motion to Enforce Board Order after the licensee violated the terms of the Agreement by consuming alcohol and not informing the Board in a timely manner. The Board proposes to revoke the license with the right to reapply once all associated fees and costs have been paid.

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, *see* 59 O.S.Supp.2019, § 503, which is defined to include, among other things, “[h]abitual intemperance or the habitual use of habit-forming drugs.” *Id.* § 509. Moreover, the Legislature has authorized the Board, “[t]o the extent necessary . . . to enforce [its] disciplinary actions,” to “punish willful violations of its orders and impose additional penalties as allowed by Section 509.1 of [the Act.]” *Id.* § 513(B). The Board may reasonably believe that the proposed action is necessary to protect the citizens of Oklahoma.

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.

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MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in blue ink, appearing to read "Ethan Shaner".

ETHAN SHANER
DEPUTY GENERAL COUNSEL