



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-20A

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

January 31, 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 with respect to medical doctor licensee 19836 in case 15-05-5140. The licensee was suspended in May of 2017 and was ordered to have a mental health evaluation among other requirements. The Board's action was approved by this office in A.G. Opin. 2017-389A. On January 18, 2018, the licensee appeared before the Board and stated that he does not waive confidentiality of the evaluation and has not completed other requirements of the previous order. The Board proposes to have the suspension remain in full force and effect.

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," "[p]rescribing, dispensing or administering of controlled substances or narcotic drugs in excess," and "[f]ailure to maintain an office record for each patient." 59 O.S.2011, §§ 509(8), (16), (18). The Board may reasonably believe that the proposed action is necessary to deter 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 of protecting the health, safety, and well-being of the citizens of Oklahoma.

A handwritten signature in black ink, appearing to read "Mike Hunter".

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Amanda Otis".

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL