



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-24A

Deborah J. Bruce, J.D., Executive Director
State Board of Osteopathic Examiners
4848 Lincoln Boulevard, Ste. 100
Oklahoma City, Oklahoma 73105

January 7, 2016

Dear Executive Director Bruce:

This office has received your request for a written Attorney General Opinion regarding agency action that the State Board of Osteopathic Examiners intends to take with respect to the application for licensure of Dickie Lynn Hill, D.O. The proposed action is to deny the application. The applicant very recently had a license revoked in another jurisdiction for failing terms of probation. That probation had been imposed as discipline for gross negligence in medical practice and for unprofessional conduct in that applicant's medical records were incomplete, applicant prescribed controlled dangerous substances without medical justification, and applicant excessively prescribed controlled dangerous substances.

The Oklahoma Osteopathic Medicine Act, 59 O.S.2011 & Supp.2015, §§ 620–645, authorizes the Board to refuse licenses to individuals who have osteopathic medical licenses “revoked, suspended, restricted, modified or limited . . . or otherwise disciplined by any other state or federal agency,” 59 O.S.2011, § 637(A)(6). Further, the underlying justification for the foreign jurisdiction's revocation of the applicant's license has cognates in Oklahoma law. *See id.* § 637(A)(3) (authorizing discipline for gross negligence); § 637(A)(2)(g) (authorizing discipline for prescribing controlled substances without sufficient medical justification); OAC 510:5-7-1(1) (prohibiting “[i]ndiscriminate or excessive prescribing” of controlled dangerous drugs). The action seeks to advance the State's policies concerning standards of osteopathic medicine after another state with similar standards revoked applicant's license. The Board may reasonably believe that, in these circumstances, denial of a license is warranted to protect public health.

It is, therefore, the official opinion of the Attorney General that the State Board of Osteopathic Examiners has adequate support for the conclusion that this action advances the State of Oklahoma's policy to protect the public welfare and adequately regulate the practice of osteopathic medicine.

A handwritten signature in black ink, appearing to read "E. Scott Pruitt".

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA