



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2015-84A

Cathy Kirkpatrick, Executive Director  
State Board of Veterinary Medical Examiners  
2920 N. Lincoln Blvd., Ste. C  
Oklahoma City, Oklahoma 73105

October 27, 2015

Dear Executive Director Kirkpatrick:

This office has received your request for a written Attorney General Opinion regarding agency action to be taken under the auspices of the State Board of Veterinary Medical Examiners in Board case CX-15-083. The proposed action is to issue a Notice of Possible Violation—merely informing the person that an activity is likely illegal—to the respondent for engaging in the unlicensed practice of veterinary medicine. The respondent, not a licensee, agreed to meet an undercover officer to crop a dog's ears. Cropping dog ears, a potentially significant surgical procedure, can involve the use of sedatives; physically cutting off a portion of the dog's ears, and post-procedure care necessary to prevent infections.

The Oklahoma Veterinary Practice Act, 59 O.S.2011 & Supp.2014, §§ 698.1–698.30b, authorizes the Board to discipline persons who violate the Act, 59 O.S.2011, § 698.14a(E)(22). The Act makes it a violation to practice or attempt to practice veterinary medicine without a license, *id.* § 698.18(A), and performing a surgery on an animal falls within the practice of veterinary medicine, *id.* § 698.11(A)(1). The action seeks to provide notice concerning the requirement that individuals obtain a veterinary license before practicing veterinary medicine, and cropping a dog's ears—a surgical operation—comes within the practice of medicine. The Board may believe that notice is an appropriate first step before pursuing formal disciplinary proceedings.

It is, therefore, the official opinion of the Attorney General that the State Board of Veterinary Medical Examiners has adequate support for the conclusion that this action advances the State of Oklahoma's policy to protect the health, safety, and welfare of the people of Oklahoma.

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

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA