



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2015-87A

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 by the State Board of Veterinary Medical Examiners in Board case CX-14-040. The proposed action is to extend a term of probation for one year following the licensee's attempt to substitute other fluid samples for the licensee's own fluid samples during a drug and alcohol test. The probation was initially imposed because of drug and alcohol use.

The Oklahoma Veterinary Practice Act, 59 O.S.2011 & Supp.2014, §§ 698.1–698.30b, authorizes the Board to discipline persons who engage in the “[h]abitual use or abuse of alcohol or of a habit-forming drug or chemical which impairs the ability of the licensee or certificate holder to practice veterinary medicine,” 59 O.S.2011, § 698.14a(E)(12). The action seeks to enforce the Board's prior order requiring drug and alcohol testing, which the Board may believe is necessary to ensure that any use of alcohol or drugs by the licensee does not lead to compromised veterinary medicine while allowing the veterinarian to continue practicing.

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", is written over a horizontal line.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA