



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2015-86A

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-15-071. The proposed action is to issue a Notice of Possible Violation— notifying the recipient that an activity is likely illegal—to the respondent, not a licensee, for signing an animal's international health certificate with a veterinarian's signature while the veterinarian was out of the country.

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 or a rule promulgated under the Act in addition to those who use “any false, fraudulent or deceptive statement in any document connected with the practice of veterinary medicine,” 59 O.S.2011, § 698.14a(E)(9), (22). The Board's rules prohibit fraudulently issuing a “certificate of veterinary inspection.” OAC 775:10-5-30(2)(I). The action seeks to provide notice concerning the requirement that only veterinarians issue health certificates following an inspection, that any such inspection be thorough, and that the certificate be truthful. Health certificates are used and relied upon in the regulation of international travel of animals to ensure that animals do not transmit diseases from one geographic area to another. The Board may believe that a warning offers appropriate deterrence to future potentially violative actions.

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