



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2015-39A

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

October 6, 2015

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 in Board case 0713-67. The proposed action is to deny a request for modification of an order imposing conditions on the licensee. The initial discipline in the case arose because the licensee obtained patients' contact information from medical records and sent sexually suggestive messages and pictures to patients. Discipline included various monitoring requirements and required, at a minimum, quarterly counseling sessions. The licensee requested that the counseling requirement be lifted, which was denied.

The Oklahoma Osteopathic Medicine Act, 59 O.S.2011 & Supp.2015, §§ 620–645, authorizes the Board to discipline a licensee for unprofessional conduct including “acting in a manner which results in final disciplinary action by any . . . hospital or medical staff of such hospital,” 59 O.S.2011, § 637(A)(2)(f). The Board may also discipline a licensee if “guilty of personal offensive behavior, which would include, but not be limited to obscenity, lewdness, molestation and other acts of moral turpitude.” *Id.* § 637(A)(13). The action seeks to hold a professional accountable to these standards of professionalism—without barring the professional from practice—by requiring counseling that may prevent future misconduct.

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 uphold standards of professional in the medical profession.

A handwritten signature in black ink, appearing to read "E. Scott Pruitt", is written over a faint circular stamp.

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA