



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-108A

Billy H. Stout, M.D., Board Secretary
State Board of Medical Licensure and Supervision
101 NE 51st Street
Oklahoma City, OK 73105

April 11, 2018

Dear Dr. Billy H. Stout, M.D., Board Secretary:

This office has received your request for a written Attorney General Opinion regarding action that the State Board of Medical Licensure and Supervision intends to take pursuant to a consent agreement with medical licensee 21826 in case 16-08-5354. The licensee issued prescriptions to patients without an examination and allowed members of her employer's staff to do the same. The Board proposes to issue a formal reprimand, impose a fine of \$35,000, require the licensee to complete additional continuing medical education courses, prohibit the licensee from practicing telemedicine for one year, and require the licensee to pay all costs of the action.

The Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act authorizes the Board to suspend or revoke a license and order other appropriate sanctions against a licensee for unprofessional conduct, which includes "[p]rescribing or administering a drug or treatment without sufficient examination," "[a]iding or abetting, directly or indirectly, the practice of medicine by any person not duly authorized," and "[f]ailure to maintain an office record for each patient." 59 O.S.Supp.2017, §§ 503, 509(12), (14), (18). The Board may reasonably believe that the proposed action is necessary to protect public health.

It is, therefore, the official opinion of the Attorney General that the State Board of Medical Licensure and Supervision has adequate support for the conclusion that this action advances the State's policy of protecting the health safety and well-being of the citizens of Oklahoma.

A handwritten signature in black ink, appearing to read "Mike Hunter".

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Amanda Otis".

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL