



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2018-185A

Deborah J. Bruce, J.D., Executive Director  
State Board of Osteopathic Examiners  
4848 N. Lincoln Blvd., Suite 100  
Oklahoma City, Oklahoma 73105

June 8, 2018

Dear Executive Director Bruce:

This office has received your request for a written Attorney General Opinion regarding action that the State Board of Osteopathic Examiners intends to take in Board case 1217-149. After a hearing, the Board found that the licensee prescribed Controlled Dangerous Substances ("CDS") in a way that violated the Board's rules for professional conduct. The Board proposes to place the license on probation for five years. During this time, the licensee must not administer, prescribe, or dispense any CDS, must allow the Board to enter his office to determine compliance with the order, and must provide the order to any potential employer. Within 12 months, the licensee must complete several remedial education courses. Additionally, the licensee must pay costs and investigative charges of \$10,428 within the first three years of probation.

The Oklahoma Osteopathic Medicine Act authorizes the Board to "suspend or revoke any license issued . . . upon proof that the . . . holder of such a license . . . [h]as engaged in the use or employment of dishonesty, fraud, misrepresentation, false promise, false pretense, unethical conduct or unprofessional conduct," "[h]as engaged in gross negligence, gross malpractice or gross incompetence," "[h]as engaged in repeated acts of negligence, malpractice or incompetence," or "[h]as violated, or failed to comply with provisions of any act or regulation administered by the Board." 59 O.S.2011, § 637(A)(2-4), (7). The Board may reasonably believe that the proposed action is necessary to ensure the adequate regulation of the prescription of CDS medications.

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's policy to protect the public welfare by ensuring that licensees comply with the Act and the Board's rules.

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

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in blue ink, appearing to read "Ethan Shaner".

ETHAN SHANER  
DEPUTY ASSISTANT ATTORNEY GENERAL