



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-190A

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

June 12, 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 respect to physical therapy assistant licensee TA-942 in case 16-07-5333. The licensee practiced with an inactive license from February 1, 2016 through April 22, 2016. The Board proposes to suspend the license for 90 days, fine the licensee \$3,500, and impose terms and conditions that include requiring the licensee to complete continuing education units.

The Physical Therapy Practice Act states “[n]o person shall . . . represent himself as a physical therapist or physical therapist assistant . . . unless such person is licensed pursuant to the provisions of the Physical Therapy Practice Act.” 59 O.S.2011, § 887.16(A). That section also authorizes the Board to suspend or revoke a license when the licensee has violated the Act. *Id.* § 887.16(B). The rules promulgated by the Board allow the Board to “revoke or take other disciplinary action against a licensee . . . for unprofessional conduct,” which includes “[f]ailing to timely make application for license renewal.” OAC 435:20-5-8(b)(19). The Board may reasonably believe that the proposed action is necessary to deter future violations.

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.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

RYAN CHAFFIN
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