



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-230A

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

June 26, 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 with respect to medical doctor licensee 26835 in case 12-02-4506. The license was suspended for six months followed by five years of probation. Licensee has moved to terminate the probation. The Board proposes to grant licensee's motion to terminate and issue a license pursuant to an agreement for licensure after probation. The agreement for licensure after probation contains certain terms and conditions.

The Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act authorizes the Board to "establish rules authorizing the issuance of conditional, restricted, or otherwise circumscribed licenses, or issuance of licenses under terms of agreement . . . as [] necessary for the public health, safety, and welfare." 59 O.S.2011, § 493.3(D). The Board's rules state that the Board Secretary may enter into an agreement with an applicant when "circumstances and/or conditions of an applicant raise questions as to the fitness or ability of the applicant to practice medicine . . . with reasonable skill and safety or questions as to prior actions of the applicant in this or any other jurisdiction which would constitute a violation of the Act or [Board] rules." OAC 435:10-4-11(b)(2). 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.



MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA



RYAN CHAFFIN
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