



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2017-803A

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

November 17, 2017

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 8626. The licensee was investigated for prescribing controlled dangerous substances (CDS) to patients without a legitimate medical need and in unsafe quantities, and for failing to oversee and monitor patients receiving CDS. The Board proposes to suspend the license for three months, require the licensee to attend a record-keeping course and practice in a location approved by the Board Secretary, and impose prescribing restrictions.

The Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act authorizes the Board to suspend or revoke a license or impose other sanctions for unprofessional conduct. 59 O.S.Supp.2017, § 503. Unprofessional conduct includes "[p]rescribing, dispensing or administering of controlled substances or narcotic drugs in excess of the amount considered good medical practice, or prescribing, dispensing or administering controlled substances or narcotic drugs without medical need in accordance with published standards," and "[f]ailure to maintain an office record for each patient which accurately reflects the evaluation, treatment, and medical necessity of treatment of the patient." 59 O.S. 2011, § 509(16), (18). The Board may reasonably believe that the proposed action is necessary to protect public health and 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 to ensure the adequate regulation of dangerous substances and require that medical doctors observe minimum standards of professionalism.

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