ATTORNEY GENERAL OPINION
2017-813A

Billy H. Stout, M.D., Board Secretary   November 28, 2017
State Board of Medical Licensure and Supervision
101 NE 51st Street
Oklahoma City, OK 73105

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 Physician Assistant Licensee 2818, who is licensed in Colorado and has applied for licensure in Oklahoma. The licensee was placed on probation in Colorado for practicing as a physician assistant without a supervising physician. The Board proposes to grant the application with conditions, including placing the licensee on probation for five years.

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

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL