



MIKE HUNTER
ATTORNEY GENERAL

ATTORNEY GENERAL OPINION
2021-16A

Billy H. Stout, M.D. Board Secretary
Oklahoma State Board of Medical
Licensure and Supervision
10 N.E. 51st St.
Oklahoma City, OK 73105-1821

May 6, 2021

Dear Secretary Stout:

This office has received your request for a written Attorney General Opinion regarding action that the Oklahoma State Board of Medical Licensure and Supervision (“Board”) intends to take in case 19-03-5718. In 2016, licensee entered into a monitoring contract with Texas PHP and was ordered to cease practice. In 2017, licensee was terminated from Texas PHP for non-compliance. In March 2019, the Texas Medical Board entered an Agreed Order of Voluntary Surrender after licensee failed to meet requirements set forth in a previous order. Additionally, in May 2018, licensee was investigated for self-prescribing and voluntarily relinquished her South Carolina license. After a hearing in March 2021, the Board found the licensee guilty of unprofessional conduct, including state and federal drug regulations, disciplinary charges in other states, and the inability to practice medicine with reasonable skill. The Board proposes to revoke the license with the right to reapply, require the licensee to comply with terms listed in the Texas Order of Voluntary Surrender, and pay investigative and attorney’s fees.

The Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act authorizes the Board to revoke a license for unprofessional conduct, which the defines to include “violation of the antinarcotic or prohibition laws and regulations of the federal government,” “[h]abitual intemperance or the habitual use of habit-forming drugs,” “violation of the criminal laws of any state when such act is connected with the physician’s practice of medicine,” and “[t]he writing of false or fictitious prescriptions for any drugs or narcotics.” 59 O.S.Supp.2020, §§ 503, 509(4), (7)(a), (9), (11). The Board may reasonably believe that the proposed action is necessary to protect public health and safety.

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.

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MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in blue ink that reads "Ethan Shaner".

ETHAN SHANER
DEPUTY GENERAL COUNSEL