



OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2025-8A

Steven Mullins, Executive Director
State Board of Osteopathic Examiners
4848 N. Lincoln Blvd., Ste. 100
Oklahoma City, Oklahoma 73105

February 5, 2025

Re: Livingston, Case No. 2023-228

Dear Executive Director Mullins:

This office has received your request for a written Attorney General Opinion regarding action that the State Board of Osteopathic Examiners intends to take in Case Number 2023-228.

The Oklahoma Osteopathic Medicine Act authorizes the Board to “revoke any license issued . . . upon proof that the . . . holder of such a license “[h]as engaged in . . . unethical conduct or unprofessional conduct, as may be determined by the Board, in the performance of the functions or duties of an osteopathic physician.” 59 O.S.Supp.2023, § 637(A)(2). Such conduct includes, among other things, “failing to comply with any subpoena issued by the Board” and “violating a probation agreement or order” of the Board.” *Id.* § 637(A)(2)(k-l). Further, the Board may take action when a license holder “[h]as violated or refused to comply with a lawful order of the Board” or “[h]as been guilty of habitual drunkenness, or habitual addiction to the use of morphine, cocaine or other habit-forming drugs.” *Id.* § 637(A)(11-12).

The Board has investigated and addressed multiple complaints and allegations against the Respondent since he was licensed in 2004. In 2012, the Board investigated and found serious unethical or unprofessional conduct by the Respondent causing the Board to restrict Respondent’s license. Thereafter, the Board found at a September 26, 2024, hearing that the Respondent violated the above-mentioned laws by clear and convincing evidence. According to the Board’s September 2024 order, the Board suspended the Respondent’s license with conditions, including participation in the Oklahoma Health Practitioner Program (OHPP) and regular reporting to the Board. *See* A.G. Op. 2024-39A. As of the date of the Board’s December 2024 hearing, the Respondent has not completed the Board’s requirements. Respondent did not enter into an agreement with OHPP. Additionally, the Respondent failed to submit quarterly reports, attend the prehearing conference, or maintain required communication with the Board. Furthermore, the Respondent did not provide the Board with accurate license information or attempt to engage in the prescribed multidisciplinary rehabilitation program.

Given the Respondent's ongoing noncompliance, history of unprofessional and unethical conduct, and failure to demonstrate good faith efforts toward rehabilitation, the Board now proposes to revoke Respondents license to practice osteopathic medicine in Oklahoma.

It is, therefore, the official opinion of the Attorney General that the State Board of Osteopathic Examiners has adequate support for the conclusion that this action advances the State's policy to protect the public welfare.

A handwritten signature in black ink, appearing to read "Cheryl Dixon". The signature is fluid and cursive, with the first name "Cheryl" written in a larger, more prominent script than the last name "Dixon".

CHERYL DIXON

Deputy General Counsel