



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2019-44A

Dorothy Gourley, Interim Executive Director  
Oklahoma State Board of Pharmacy  
2920 N Lincoln Blvd, Suite A  
Oklahoma City, Oklahoma 73105

February 4, 2019

Dear Interim Executive Director Gourley:

This office has received your request for a written Attorney General Opinion regarding action that the State Board of Pharmacy intends to take pursuant to an agreed order with pharmacist, D.Ph. 15532. The licensee was randomly selected for an audit of continuing education (“CE”) for 2016. The audit confirmed that the licensee did not complete the required 15 hours. The Board proposes to require the licensee, in addition to the required 15 hours, to complete 28 additional hours, totaling 43 hours with 7 of the hours to be in live classes. Additionally, the licensee must pay a fine of \$700.

The Oklahoma Pharmacy Act authorizes the Board to regulate the practice of pharmacy. 59 O.S.Supp.2018, § 353.7. Specifically, “[t]he State Board of Pharmacy may reprimand, place on probation, suspend, revoke permanently and levy fines . . . against any person who . . . violates any provision of the Oklahoma Pharmacy Act or any other applicable state or federal law.” *Id.* § 353.26(A)(1). The Board’s rules require every licensee to complete “at least 15 clock hours of continuing education . . . [each] calendar year.” OAC 535:10-3-4(a). The Board may reasonably believe the proposed action is necessary to deter future violations.

It is, therefore, the official opinion of the Attorney General that the State Board of Pharmacy has adequate support for the conclusion that this action advances the State’s policy to ensure that all pharmacists complete the required amount of continuing education.

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

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ASSISTANT ATTORNEY GENERAL