



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-162A

Gaylord Z. Thomas, Executive Director
Oklahoma State Board of Examiners for
Long Term Care Administrators
2401 N.W. 23rd Street, Suite 62
Oklahoma City, OK 73107

May 11, 2018

Dear Executive Director Thomas:

This office has received your request for a written Attorney General Opinion regarding action the Oklahoma State Board of Examiners for Long Term Care Administrators intends to take pursuant to a consent agreement with licensee #2996 in case #17-059(P). The licensee misappropriated \$2,200 of a resident's funds. The licensee has since reimbursed the funds and has requested to voluntarily surrender the license. The Board proposes to accept the voluntary surrender for 5 years. If after 5 years the licensee reapplies, the licensee will be required to pay a fine of \$1,000, attorney fees of \$7,076.25, and receive a letter of reprimand.

The Board is authorized to regulate the practice of long term care administrators. 63 O.S.2011 & Supp.2017, §§ 330.51—330.65. The Board is authorized to develop, impose, and enforce standards for licensure so that long term care administrators are of good character and otherwise suitable and qualified to serve. 63 O.S.2011, § 330.58(1). The Board may discipline licensees who fail to conform to those standards. *Id.* § 330.58(3). The Board's rules prohibit "misappropriation of a resident's funds." OAC 490:10-5-3(b)(6). The Board may reasonably believe that the proposed action will deter future violations.

It is, therefore, the official opinion of the Attorney General that the Oklahoma State Board of Examiners for Long Term Care Administrators has adequate support for the conclusion that the action advances the State's policy upholding minimum standards of competence among long-term care administrators.

A handwritten signature in black ink that reads "Mike Hunter".

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in black ink that reads "Amanda Otis".

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL