



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-277A

Chelsea O. Church, Executive Director
Oklahoma State Board of Pharmacy
2920 N Lincoln Blvd, Suite A
Oklahoma City, Oklahoma 73105

July 16, 2018

Dear Executive Director Church:

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 pharmacy 18-5060. The licensee allegedly violated federal law and several rules of the Board. The licensee neither admits nor denies these allegations. The Board proposes to fine the licensee \$12,000 total for the alleged violations.

The Oklahoma Pharmacy Act authorizes the Board to regulate the practice of pharmacy. 59 O.S.Supp.2017, § 353.7. Specifically, “[t]he State Board of Pharmacy may . . . [r]evoke permanently or suspend any certificate, license or permit issued pursuant to the Oklahoma Pharmacy Act or reprimand or place on probation any holder of a certificate, license, or permit who . . . violates any provision of the Uniform Controlled Dangerous Substances Act” or “conducts himself or herself in a manner likely to lower public esteem for the profession of pharmacy.” *Id.* § 353.26(A)(1)(b), (e). The rules of professional conduct require licensees to comply with the rules of the Board. OAC 535:10-3-1.2. 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 protect public health, safety, and welfare.

Handwritten signature of Mike Hunter in black ink.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

Handwritten signature of Ryan Chaffin in black ink, featuring a long horizontal line extending to the right.

RYAN CHAFFIN
DEPUTY CHIEF ASSISTANT ATTORNEY GENERAL