



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2018-278A

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

July 16, 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 #2263 in case #18-021(P). During an April 18, 2018 survey the licensee was asked about a missing report from a fire drill that occurred in December 2017. The licensee directed the creation of a report to cover for the missing one and provided it to the surveyor as the original. The Board proposes to issue a letter of reprimand, impose a fine of \$750, require the licensee to complete 12 additional hours of continuing education, and assess attorney fees of \$550.

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 "[f]raudulent, deceptive or dishonest conduct in the management of a long term care facility or other conduct unbecoming to a person licensed . . . when, in the judgment of the Board, such conduct is detrimental to the best interest of the . . . public." OAC 490:10-5-3(b)(7). 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.

Handwritten signature of Mike Hunter in black ink.

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

Handwritten signature of Ryan Chaffin in black ink.

RYAN CHAFFIN  
DEPUTY CHIEF ASSISTANT ATTORNEY GENERAL