



JOHN M. O'CONNOR  
ATTORNEY GENERAL

**ATTORNEY GENERAL OPINION  
2022-56A**

Marty Hendrick, Executive Director  
Oklahoma State Board of Pharmacy  
2920 N. Lincoln Blvd., Suite A  
Oklahoma City, OK 73105

December 21, 2022

Re: Collins, Case No. 1654

Dear Executive Director Hendrick:

This office has received your request for a written Attorney General Opinion regarding action that the State Board of Pharmacy intends to take in Case No. 1654.

The Oklahoma Pharmacy Act authorizes the Board to regulate the practice of pharmacy. 59 O.S. 2021, § 353.7. The Board may revoke the license of any person who violates the Uniform Controlled Dangerous Substances Act or “[c]onducts . . . herself in a manner likely to lower public esteem for the profession of pharmacy.” *Id.* § 353.26(A)(2), (5). The Uniform Controlled Dangerous Substances Act makes it unlawful for any person to possess a controlled dangerous substance knowingly or intentionally without a valid prescription. 63 O.S.2021, § 2-402(A)(1). A registrant<sup>1</sup> is required to “conduct business in conformity with all . . . laws” and “in a manner that will entitle them to the respect and confidence of the community . . . .” OAC 535:25-7-3(a-b). A registrant violates the rules of registrant conduct when the registrant commits theft while working. OAC 535:25-9-7.

According to a Board complaint, in July 2022, Respondent admitted to stealing Hydrocodone-Acetaminophen from her employer for her personal use. The Board proposes to revoke Respondent’s permit. 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.

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JOHN M. O'CONNOR  
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in blue ink, appearing to read "Thomas R. Schneider".

THOMAS R. SCHNEIDER  
ACTING GENERAL COUNSEL

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<sup>1</sup> Registrant is defined as “any holder of registration, certificate, license or permit that is regulated by the Board.” OAC 535:25-1-1.1.