



OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2024-47A

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

November 1, 2024

Re: Mathers, Case No. 2024-1695

Dear Executive Director Hendrick:

This office has received your request for a written Attorney General Opinion regarding disciplinary action the Oklahoma State Board of Pharmacy intends to take in Case No. 2024-1695 against Respondent Malcolm Mathers.

The Oklahoma Pharmacy Act authorizes the Board to regulate the practice of pharmacy. 59 O.S.Supp.2022 § 353.7. The Board may revoke the license of any person who violates the Uniform Controlled Dangerous Substances Act or “[c]onducts himself or 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 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).

During a hearing on September 18, 2023, the Board found that Respondent illegally used Ketamine without a valid prescription. Dr. Keevie Ridener testified that Respondent admitted to using Ketamine at a party and subsequently failed a drug test that confirmed the presence of the substance. The Board proposes to permanently revoke Respondent’s pharmacy technician permit, impose a fine of \$3,000, and order Respondent to pay all costs associated with the proceedings. 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 Oklahoma State Board of Pharmacy’s proposed action is in accordance with the State’s policy to protect public health, safety, and welfare.

A handwritten signature in blue ink that reads "Brad Clark".

BRAD CLARK
GENERAL COUNSEL