



OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2025-16A

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

March 10, 2025

Re: Perryman, Case No. 2024-1710

Dear Executive Director Hendrick:

This office has received your request for a written Attorney General Opinion regarding disciplinary action the State Board of Pharmacy (the “Board”) intends to take in the above-referenced case.

The Oklahoma Pharmacy Act authorizes the Board to regulate the practice of pharmacy. 59 O.S.Supp.2022, § 353.7(1). The Board has jurisdiction to hear this matter pursuant to Oklahoma Statute title 59, sections 353.7(12) and 353.26(A). The Board may revoke the license of any person who violates the Uniform Controlled Dangerous Substances Act or “[c]onducts himself . . . in a manner likely to lower public esteem for the profession of pharmacy[.]” 59 O.S.2021, § 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.Supp2023, § 2-402(A)(1). A registrant¹ 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.

On or around August 29, 2024, Respondent admitted to stealing a large quantity of Hydrocodone-Acetaminophen and Alprazolam tablets from his employer over five (5) or six (6) separate instances from mid-July 2022 until approximately August 15, 2024, and then selling those drugs to a third party. Respondent was terminated from his employment that same day. On September 4, 2024, a criminal case against Respondent was filed in Tulsa County District Court (Case No. CF-2024-3260) in which Respondent is charged with two (2) felony counts of Larceny/Burglary of Controlled Drugs, in violation of 63 O.S.Supp.2024, § 2-401. The criminal case against Respondent is still pending.

The Board proposes revoking the Respondent’s pharmacy technician permit (Permit No. T-31196) and assessing a \$2,000 fine. The Board may reasonably believe the proposed action is necessary

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

to deter future violations. It is, therefore, the official opinion of the Attorney General that the 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 black ink that reads "Cheryl Dixon". The signature is written in a cursive, flowing style.

CHERYL DIXON

Deputy General Counsel