



OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2025-39A

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

June 26, 2025

Re: Higuera-Jaquez, Case No. 2025-1711

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. Respondent holds a pharmacy technician permit issued by the Oklahoma State Board of Pharmacy.

The Oklahoma Pharmacy Act authorizes the Board to regulate the practice of pharmacy. 59 O.S.Supp.2022, § 353.7. 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 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.Supp.2024, § 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).¹ A registrant violates the rules of registrant conduct when the registrant commits theft while working. OAC 535:25-9-7.

During a hearing on May 7, 2025, the Board found that Respondent was terminated from her employment on March 11, 2025, for theft after she admitted to making manual alterations between January 8, 2025 to March 9, 2025, to inventory counts for Oxycodone HCL 10 mg and 15 mg under credentials of other pharmacy staff. Respondent stole 531 10 mg tablets and 640 15 mg tablets (total 1,171). Respondent stated that she did not take the Oxycodone for personal use but admitted to selling the pilfered medication for \$900 or more per bottle. The Board proposes to permanently revoke Respondent’s pharmacy technician permit and impose a fine of \$2,000.

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’s

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.

proposed action is in accordance with the State's policy to protect public health, safety, and welfare.

A handwritten signature in black ink, appearing to read "Cheryl Dixon". The signature is fluid and cursive, with the first name "Cheryl" written in a larger, more prominent script than the last name "Dixon".

CHERYL DIXON

Deputy General Counsel