



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2015-192A

Gaylord Z. Thomas, Executive Director
Oklahoma State Board of Examiners for
Long-Term Care Administrators
2401 NW 23rd Street, Ste. 62
Oklahoma City, Oklahoma 73107

December 9, 2015

Dear Executive Director Thomas:

This office has received your request for a written Attorney General Opinion regarding agency action that the Oklahoma State Board of Examiners for Long-Term Care Administrators intends to take in Board case A15-027(B). The proposed action is to issue a letter of concern to the licensee, a licensed Residential Care and Assisted Living Administrator, because the licensee appears to have served as a facility administrator before completing the licensure process.

State law governing long-term care administrators provides that "[i]t shall be unlawful and a misdemeanor for any person to act or serve in the capacity as a long-term care administrator unless the person is the holder of a license or certification as a long-term care administrator, issued in accordance with the provisions of this act." 63 O.S.2011, § 330.59. This action seeks to enforce this straightforward requirement by warning a current licensee about the potential that illegal conduct occurred before licensure. The Board may reasonably believe that a letter of concern will adequately advance statutory policies in the context of this case.

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 these actions advance the State of Oklahoma's policy to safeguard public health and safety.

A handwritten signature in black ink, appearing to read "E. Scott Pruitt".

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA

