

**Title 475 - Oklahoma State Bureau of Narcotics and Dangerous
Drugs Control
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

RULE IMPACT STATEMENT

DESCRIPTION OF EMERGENCY RULE:

The additions to subchapter 1 provide clarity to the registrants by adding definitions and clarifying existing definitions. The changes in subchapter 5 make the administrative rules match the statutory changes that were made during the most recent legislative session. An addition to the rules details how the agency provides notice to a registrant of an administrative hearing, how the registrant is required to request a hearing, and who is able to request a hearing. Another modification clarifies who has the ability to surrender a registration. A final addition to subchapter 5 is a procedure for discovery during administrative hearings.

DESCRIPTION OF PERSONS MOST LIKELY AFFECTED:

Registrants with OBNDD. The public could also be affected.

DESCRIPTION OF PERSONS BENEFITTING FROM EMERGENCY RULES:

Registrants with OBNDD will benefit from the rule changes.

**DESCRIPTION OF PROBABLE ECONOMIC IMPACT ON PERSONS/POLITICAL
SUBDIVISIONS:**

None

PROBABLE COSTS/BENEFITS TO AGENCIES:

The emergency rule changes will not subject OBNDD or other State agencies to any additional costs. The emergency rule changes will benefit OBNDD by eliminating conflict and confusion between what is specified in statute versus what is in rule. OBNDD will also benefit from the changes by creating a more efficient way of providing service to the registrant and for registrants to request a hearing.

**DETERMINATION OF ECONOMIC IMPACT/COOPERATION REQUIRED BY
POLITICAL SUBDIVISIONS:**

The emergency rule changes have no economic impact upon political subdivisions, nor do they require any cooperation or effort from political subdivisions to implement.

DETERMINATION OF ADVERSE ECONOMIC IMPACT UPON SMALL BUSINESS:

The emergency rule changes have no adverse economic impact upon small businesses.

**DESCRIPTION OF MEASURES TO MINIMIZE COMPLIANCE COSTS AND
CONSIDERATION OF ALTERNATIVES:**

There are no compliance costs and there are no less intrusive means of achieving the goals of the emergency rules.

**DESCRIPTION OF EFFECTS UPON AND EXTENT THE RULE WILL REDUCE RISK TO
THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The emergency rules have no environmental impact. The rules will reduce the risk to public health and safety by making show cause hearings more efficient, eliminating conflict between rules and statutes, and providing more clarity to registrants. This will allow registrants to follow rules and regulations more easily and reduce non-compliance.

DETERMINATION OF PUBLIC HEALTH, SAFETY, AND ENVIRONMENTAL THREATS IN ABSENCE OF RULES:

In the absence of these rules, public health and safety would be at risk because registrants currently in violation of the Uniform Controlled Dangerous Substances Act would be able to continue to operate for even longer even if they tried to manipulate the system to say they did not receive service or they sent in a request for hearing even though OBNDD never received it. Additionally, registrants and the public would be confused by inconsistencies between rules and statutes.

DATE OF PREPARATION OF RULE IMPACT STATEMENT:

This Rule Impact Statement was prepared on July 25, 2024, by Jessica McGuire, Manager of Professional Regulation Services, Oklahoma State Bureau of Narcotics and Dangerous Drugs Control.