



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-367A

Kim Glazier, Executive Director
Oklahoma Board of Nursing
2915 N. Classen Blvd., Ste. 524
Oklahoma City, Oklahoma 73106

September 11, 2018

Dear Executive Director Glazier:

This office has received your request for a written Attorney General Opinion regarding action that the Oklahoma Board of Nursing intends to take pursuant to a consent agreement in case 5.005.19. The applicant was charged with a misdemeanor in 2002. In 2018, the licensee falsified an endorsement RN multistate application by failing to disclose the 2002 misdemeanor charge. The Board proposes to grant the application, but require the licensee to pay an administrative penalty of \$500 and complete a remedial education course.

The Oklahoma Nursing Practice Act authorizes "corrective action" when a nurse "is guilty of deceit or material misrepresentation in procuring or attempting to procure" a license. 59 O.S.Supp.2017, §§ 567a(A), 567.8(B)(1)(a). "Deceit or material misrepresentation" includes any "false representation of facts in connection with an application for licensure." OAC 485:10-11-1(b)(1)(A). The Board may reasonably believe that the proposed action is necessary to deter future violations.

It is, therefore, the official opinion of the Attorney General that the Oklahoma Board of Nursing has adequate support for the conclusion that this action advances the State's policy to protect public health, safety, and welfare by ensuring that licensure applications are truthful and complete.

Handwritten signature of Mike Hunter in black ink.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

Handwritten signature of Amanda Otis in black ink.

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL