



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-450A

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

November 26, 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 3.071.19. In 1997 the licensee was charged with several misdemeanors. In May 2004 the licensee falsified an NCLEX-RN application by failing to report the misdemeanor. The licensee subsequently falsified several renewal applications from 2006-2018. Additionally, the licensee falsified an MSL-RN application by failing to disclose the misdemeanor. The Board proposes to grant the application, but issue a severe reprimand, and convert the license to a single state license until the licensee completes remedial education courses and pays an administrative penalty of \$2,000.

The Oklahoma Nursing Practice Act mandates “disciplinary 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.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL