



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2019-102A

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

February 26, 2019

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 an agreed order in case 3.014.19. The licensee was previously disciplined by the Board (*See* A.G. Opin. 2018-313A). The order from the previous action required the licensee to submit an evaluation to the Board, among other things. The evaluation has now been submitted. The Board proposes to accept the evaluation and require the licensee to continue counseling for six months, with proof of such counseling to be furnished to the Board quarterly.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline when a nurse “[i]s guilty of unprofessional conduct” or has “[v]iolated a rule promulgated by the Board ... or a state or federal narcotics or controlled dangerous substance law.” 59 O.S.Supp.2018, §§ 567.8(B)(7), (9). Unprofessional conduct is defined as “conduct detrimental to the public interest.” OAC 485:10-11-1(b)(3)(H). The Board may reasonably believe that the proposed action is necessary to ensure nurses are working substance free.

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 nurses meet minimum standards of professional conduct.

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