



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2019-115A

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

February 27, 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 3.112.19. The licensee previously entered into an agreed order with the Board for practicing without an active license (*See* A.G. Opin. 2018-253A). The order from the previous action required the licensee to complete remedial education courses and pay an administrative penalty. The licensee failed to submit the administrative penalty by the due date. The Board proposes to issue a reprimand and require the licensee to complete remedial education courses and pay an administrative penalty of \$1,400.

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.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL