



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2019-117A

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 a consent order in case 3.117.19. In 2014, the license was temporarily suspended. The licensee has now requested a hearing on the suspension. The complaint against the licensee alleges misconduct involving prescription medications. Additionally, in August 2017, the licensee pled guilty to one felony and one misdemeanor. The Board proposes to refer the licensee to the Board's Peer Assistance Program ("PAP") and lift the temporary suspension on the license and instead place it in lapsed status. The licensee is to submit an application for reinstatement within 60 days of admission to PAP. If the licensee does not timely file the application for reinstatement or does not complete PAP, the license will be revoked for two years. If revoked, the licensee must meet the Board's guidelines for reinstatement and pay an administrative penalty of \$23,500. Upon reinstatement, the licensee will again be referred to PAP.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline when a nurse "[i]s guilty of a felony, or any offense reasonably related to the qualifications, functions or duties of any licensee," "fails to adequately care for patients or to conform to the minimum standards of acceptable nursing" in a way that "unnecessarily exposes a patient or other person to risk of harm," "is guilty of unprofessional conduct," or "is guilty of any act that jeopardizes a patient's life, health or safety." 59 O.S.Supp.2018, § 567.8(B)(2-3), (7-8). The Board may reasonably believe that the proposed actions are 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 nurses meet minimum standards of professional conduct.



MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA



AMANDA OTIS  
ASSISTANT ATTORNEY GENERAL