



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2019-119A

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

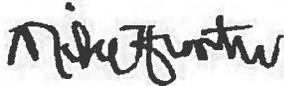
February 26, 2019

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 3.036.18. In 2017, the license was suspended for failure to comply with a Board order. (*See* A.G. Opin 2017-638A). In January 2018, the licensee submitted an application for reinstatement, which was denied. (*See* A.G. Opin 2018-197A). In August 2018, the licensee again applied for reinstatement. The Board has since become aware that the licensee was previously disciplined by the California Board of Nursing and the license was revoked. That action was not disclosed on the application for reinstatement. The licensee has requested to voluntarily surrender the license. The Board proposes to accept the application and the voluntary surrender for one year, require the licensee to submit an evaluation to the Board within 60 days of reinstatement, and, prior to reinstatement, require the licensee to pay an administrative penalty of \$500.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline when a nurse “is guilty of deceit or material misrepresentation in procuring or attempting to procure” a license or “[i]s guilty of unprofessional conduct” or “[h]as had disciplinary actions taken against the individual's . . . license . . . in this or any state, territory or country.” 59 O.S.Supp.2018, §§ 567a(A), 567.8(B)(1)(a), (10). “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