



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2019-125A

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 in case 3.279.18. Between 2003 and 2009, the licensee pled guilty to multiple felonies. In 2008, the licensee entered into an agreed order with the Board to voluntarily surrender the license. In July 2017, the licensee submitted an application for reinstatement, which was denied. (*See* A.G. Opin. 2018-216A). In October 2018, the licensee submitted a new application for reinstatement. The Board proposes to grant the application, but temporarily suspend the license pending acceptance to the Board's Peer Assistance Program ("PAP"). If PAP is not completed, the license will be revoked for two years.

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" or "[i]s guilty of unprofessional conduct as defined in the rules of the Board." 59 O.S.Supp.2018, § 567.8(B)(2), (7). 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 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