



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2019-28A

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

January 24, 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 6.032.19. The licensee arrived exhibiting impaired behavior while on duty on two separate occasions. The licensee has requested to voluntarily surrender the license. The Board proposes to accept the surrender. Upon reinstatement, the license will be temporarily suspended pending admission to the Board's Peer Assistance Program ("PAP"). If the licensee does not complete PAP, the license will be revoked for five years. If revoked the licensee must meet the Board's guidelines for reinstatement and the licensee will be required to pay an administrative penalty of \$1,500. If the licensee receives a multistate license from another compact state, the voluntary surrender will extend to the privilege to practice in Oklahoma as well.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline when a nurse "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)(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.

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