



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2019-54A

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

February 20, 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 5.031.19. The licensee failed to submit a Request for Change in Physician(s) with Supervising Advanced Practice Prescriptive Authority within the required thirty (30) days. The Board proposes to require the licensee to complete a remedial education course and impose a \$1,200 administrative penalty.

The Oklahoma Nursing Practice Act authorizes “corrective action” when a nurse “[v]iolate[s] a rule promulgated by the Board.” 59 O.S.Supp.2018, §§ 567.8a(A), 567.8(B)(9). The Board’s rules state that a nurse “must have a supervising physician on file with the Board prior to prescribing drugs or medical supplies. Changes to the written statement between the Advanced Practice Registered Nurse and supervising physician shall be filed with the Board within thirty (30) days of the change and shall be effective upon filing.” OAC 485:10-16-5(b). 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 nurses meet minimum standards of professional conduct.

A handwritten signature in black ink, appearing to read "Mike Hunter".

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Amanda Otis".

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL