



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2019-97A

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 3.137.19. Between 2004 and 2011, the licensee pled guilty to two misdemeanors, and was charged with two other misdemeanors for which the charges were dismissed. In March 2018, the licensee falsified an NCLEX-LPN application by failing to disclose the misdemeanors. Subsequently, in September 2018, the licensee submitted an LPN MSL application. The Board proposes to grant the LPN MSL application, but issue a severe reprimand and require the licensee to pay an administrative penalty of \$500. The license will be converted to a single state license until the terms of the order are completed; once complete the license will be reinstated to MSL.

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, "[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)(1)(a), (2), (7). "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