



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2020-10A

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

February 18, 2020

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 a denial of application in case 10.025.20. Between November 2011 and March 2012, the applicant was charged with multiple DUI-related misdemeanors. In February 2018, the licensee submitted an application for Advanced Unlicensed Assistant Certification. Board staff made repeated attempts to contact the applicant to review this criminal history and evaluate the applicant's fitness for certification, but the applicant did not respond. Accordingly, the Board proposes to deny the application, but allow the applicant to seek further review of the Board's action by submitting a written request for hearing.

The Oklahoma Nursing Practice Act authorizes the Board to deny an application when the applicant "[i]s guilty of a felony, or any offense reasonably related to the qualifications, functions or duties of any licensee or Advanced Unlicensed Assistant." 59 O.S.Supp.2019, § 567.8(B)(2). 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.

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

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in blue ink, appearing to read "Ethan Shaner".

ETHAN SHANER
DEPUTY GENERAL COUNSEL