



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2020-27A

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

July 31, 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 in case 3.181.19. In November 2012, the licensee failed to perform an exam or treat a patient after finding concerning test results. In January 2013, the licensee saw the patient after being discharged from the hospital and again failed to perform an exam after finding concerning test results. In July 2013, the licensee failed to treat the patient for concerning test results or perform an exam after finding the results. In August 13, the licensee ordered an additional month of antibiotics. In October 2013, the licensee ordered a urology consult for the patient. In November, the patient saw the urologist and it was discovered the patient had prostate cancer, previously looked over by the licensee. The Board proposes to issue a reprimand, require the licensee to complete education courses, and pay investigative costs of \$1,875.93.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline when a nurse “[f]ails 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,” “[i]s guilty of unprofessional conduct,” or “[i]s guilty of any act that jeopardizes a patient’s life, health or safety.” 59 O.S.Supp.2019, § 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.

A handwritten signature in black ink that reads "Mike Hunter".

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in black ink that reads "Ethan Shaner".

ETHAN SHANER
DEPUTY GENERAL COUNSEL