



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2020-32A

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

October 1, 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 3.039.21. In January 2018, the respondent displayed slurred speech, making nonsensical statements, slow movements, and falling asleep while suctioning a patient during her shift. The respondent refused a for-cause drug test, but admitted to taking a prescribed muscle relaxer before her shift, and another one during the shift. The respondent was terminated from the hospital. In February 2020, the license lapsed and the respondent has not responded to the Board's attempts to contact her. The Board proposes to temporarily suspend the license pending a hearing.

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.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, appearing to read "Mike Hunter".

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

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

ETHAN SHANER  
DEPUTY ATTORNEY GENERAL