



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2017-747A

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

October 20, 2017

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 consent agreement in case 10.012.18. The Board proposes to grant the applicant's endorsement application, but issue a severe reprimand and require the applicant to complete an education course and pay a \$500 administrative penalty.

The applicant is a registered nurse seeking to endorse the license to Oklahoma. In February 1996, the applicant was charged with Passing a Bad Check, a felony, but the charge was dismissed. When the applicant submitted the endorsement application in June 2017, the applicant failed to report the 1996 felony charge. It is the falsification for which the applicant is being disciplined.

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." 59 O.S.Supp.2016, § 567.8(B)(1)(a). "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 Act requires applicants to disclose all criminal history for consideration by the Board. 59 O.S.Supp.2016, § 567.5(B)(3). For violations of the Act, the Board may assess administrative penalties and "otherwise discipline licensees." *Id.* § 567.8(A)(2)-(3). The Board may reasonably believe that the proposed action will protect patients by ensuring honesty in nurses.

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.

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

RYAN CHAFFIN  
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