



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-10A

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

January 16, 2018

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 5.043.18. The licensee worked as a Licensed Practical Nurse from November 1, 2017 through November 15, 2017 without an active license. The licensee submitted an application for reinstatement on November 15, 2017. The Board proposes to grant the application and require licensee to complete a remedial education course.

The Oklahoma Nursing Practice Act authorizes corrective action when a nurse “[i]s guilty of unprofessional conduct,” or has “[v]iolated a rule promulgated by the Board.” 59 O.S.Supp.2017, §§ 567.8a(A); 567.8(B)(7), (9). Unprofessional conduct is defined as “conduct detrimental to the public interest.” OAC 485:10-11-1(b)(3)(H). The Act further states that “[n]o person shall practice or offer to practice . . . practical nursing . . . in this state unless the person has complied with the provisions of the [Act].” 59 O.S.2011, § 567.14(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 nurses meet minimum standards of professional conduct.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

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ASSISTANT ATTORNEY GENERAL