



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-122A

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

April 13, 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 3.238.18. The licensee entered a plea of no contest to a misdemeanor and was disciplined by the Arkansas State Board of Nursing for failing to disclose the licensee's criminal history. Later, the licensee was charged with another misdemeanor. Now, the licensee has falsified an application for reinstatement by failing to disclose the two misdemeanors and the discipline from the Arkansas board. The Board proposes to issue a severe reprimand, and require the licensee to complete remedial education courses, and pay a \$1,000 administrative penalty.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline when a nurse "[i]s guilty of a felony, or any offense reasonably related to the qualifications, functions or duties of any licensee," "[i]s guilty of unprofessional conduct," or "[h]as had disciplinary actions taken against the individual's . . . license . . . in this or any state, territory or country." 59 O.S.Supp.2017, § 567.8(B)(2), (7), (10). 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

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL