ATTORNEY GENERAL OPINION
2018-133A

Kim Glazier, Executive Director   April 19, 2018
Oklahoma Board of Nursing
2915 N. Classen Blvd., Ste. 524
Oklahoma City, Oklahoma 73106

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 3.216.18. The licensee falsified an application for renewal by failing to disclose a previous misdemeanor. Subsequently, the licensee used an unapproved hold technique and verbally abused a patient. The Board proposes to suspend the license for one month and require the licensee to complete remedial education courses. Upon reinstatement, the licensee will be required to complete 1440 hours of supervised practice to be completed in two years and pay an administrative penalty of $1,000.

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, "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.2017, § 567.8(B)(1)(a), (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.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL