



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2015-177A

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

November 30, 2015

Dear Executive Director Glazier:

This office has received your request for a written Attorney General Opinion regarding agency action that the Oklahoma Board of Nursing intends to take with respect to the Platt College Practical Nursing Program. The proposed action is to approve the program for two years and schedule a visit in one year to assess problem areas of the program.

Problem areas include ensuring that the program administrator has adequate time to fulfill administrative duties; ensuring that clinical evaluations measure student progression through clinical areas; improving admission, retention, and graduation policies to raise the number of students who complete the program and pass the licensure exam; and improving program evaluation activities to assess the program's success in teaching students in various areas. The last two problems were identified at the Board's prior meeting on the program in 2014.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2015, §§ 567.1–567.20, requires the Board to promulgate and enforce educational programs for licensed practical nurses, 59 O.S.2011, § 567.12(B). Programs must have an administrator who is a registered nurse with certain experience and qualified faculty. *Id.* § 567.12(B)(1)–(4).

The Board's standards require that a program administrator have adequate time to complete administrative duties if also teaching, OAC 485:10-5-3.2(c), and the Board's standards also require a systematic plan for evaluating the program and its educational outcomes, OAC 485:10-5-7(a). The Board's standards require that clinical experiences "prepare students for practice at the appropriate educational level," OAC 485:10-5-4.1(a), and that admission and graduation policies be designed to ensure that students maintain high completion and licensing examination passage rates. OAC 485:10-5-5(a)(9).

The action seeks to enforce the Board's standards for nursing education programs by allowing the program to continue operating at full capacity while requiring improvements in the program's deficiencies. The Board may reasonably believe that improvements can be made that would render the program fully compliant with state law while imposing monitoring more frequent than ordinary, *see* OAC 485:10-3-6(a)(1)(B), (C) (imposing visitation requirements

three years after full approval and five years periodically after that), that could result in future action being taken.

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 of Oklahoma's policy to protect the public health, safety, and welfare.

A handwritten signature in black ink, appearing to read "E. Scott Pruitt". The signature is stylized with a large, sweeping initial "E" and a long horizontal stroke extending to the right.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA