



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

**ATTORNEY GENERAL OPINION
2016-76A**

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

February 11, 2016

Dear Executive Director Glazier:

This office has received your request for a written Attorney General Opinion regarding agency action to be taken by the Oklahoma Board of Nursing pursuant to a consent agreement in Board case 3.278.16. The proposed action is to require the licensee to take courses in nursing law and the responsibilities of registered nurses; to impose a \$500 fine; and to issue a severe reprimand. On one occasion, the licensee failed to monitor vital signs properly for three patients undergoing epidural administrations; on another, the licensee failed to monitor a patient after administering a controlled dangerous substance. The licensee again failed to monitor a patient after administering a drug and was thus not aware of decreased oxygen saturation that required treatment.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2015, §§ 567.1–567.20, authorizes the Board to impose discipline when nurses “[f]ail[] 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” and when they are “guilty of any act that jeopardizes a patient’s life, health or safety,” 59 O.S.Supp.2015, § 567.8(B)(3), (8). The action seeks to enforce these requirements that protect patient safety. The Board may reasonably believe that the action will effectively deter future violations in the context of this case.

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 that nursing care meet minimum standards and not pose a risk of harm to patients.

A handwritten signature in black ink, appearing to read "E. Scott Pruitt", is written over a horizontal line.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA