



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2016-484A

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

August 5, 2016

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 pursuant to a consent agreement in Board case 3.047.17. The proposed action is to reinstate the license but require the licensee to complete a course in nursing law. In addition, the licensee will be fined \$500 and severely reprimanded. Failure to comply with the primary provisions of the order will result in a three month suspension of the license and additional fines. The licensee worked as a nurse for three months with a license that had lapsed. In an application for reinstatement, the licensee denied having worked while the license was inactive.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2015, §§ 567.1–567.20, authorizes the Board to impose discipline when a nurse “[i]s guilty of deceit or material misrepresentation in procuring or attempting to procure” a license or “[i]s guilty of unprofessional conduct,” 59 O.S.Supp.2015, § 567.8(B)(1)(a), (7). “Deceit or material misrepresentation” includes any “false representation of facts in connection with an application for licensure.” OAC 485:10-11-1(b)(1)(A). Unprofessional conduct includes falsifying documents submitted to the Board. OAC 485:10-11-1(b)(3)(E). The action seeks to enforce requirements that information submitted in applications be truthful and complete. The Board may reasonably believe that the disciplinary action will 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 of Oklahoma’s policy to protect the public health, safety, and welfare by ensuring nursing care is provided by qualified, licensed individuals.

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA