



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

**ATTORNEY GENERAL OPINION  
2016-78A**

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 3.294.16 and 3.295.16. In the former case, the proposed action is to require courses in nursing law, critical thinking, and wound care; to issue a reprimand; and to impose a \$500 penalty. The licensee failed to perform a physician-ordered dressing change on a long-term care resident. In the latter case, the proposed action is to reinstate the license, require courses in nursing law and the responsibilities of licensed practical nurses, issue a severe reprimand, and impose a \$500 penalty. The licensee failed to clean and change a dressing, but documented that the change had been completed. Later, the licensee allowed the license to lapse.

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 Act also authorizes discipline when nurses engage in “unprofessional conduct as defined in the rules of the Board,” *id.* § 567.8(B)(7), which includes inaccurate or falsely recording information in patient records, OAC 485:10-11-1(b)(3)(A). Properly cleaning and dressing wounds is an essential aspect of nurse care, and the failure to do so may leave problems undetected and increase the risk of harmful infections. The action seeks to protect patient safety, and the Board may reasonably believe that education and fines 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 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".

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA