



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-94A

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

February 17, 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 3.190.16. The proposed action is to require an additional six months of supervised practice in addition to an existing twelve-month supervised practice requirement. The licensee was disciplined and required to undergo supervised practice; since then, the Board has received complaints involving patient neglect and clocking in earlier than the licensee actually arrived to work. The Board has also received two supervised practice reports with several deficiencies, including in stress management and organization.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2015, §§ 567.1–567.20, authorizes the Board to impose discipline when nurses' inadequate care "unnecessarily exposes a patient or other person to risk of harm" and when they violate Board orders, 59 O.S.Supp.2015, § 567.8(B)(3), (9). In light of the deficiencies identified so far, the Board's discipline presents an additional opportunity for the licensee to improve practice while under supervised practice to avoid further disciplinary consequences. The Board may reasonably believe the additional supervised practice to be necessary to ensure the licensee meets the minimum standard of care and complies with the Board's prior order.

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 of upholding minimum standards of care and of professionalism within the nursing profession.

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