



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2016-496A

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 10.001.17. The proposed action is to grant the application for licensure by endorsement, however the applicant will receive a reprimand, will be required to complete a course in nursing law, and will be fined \$500. Failure to comply with the primary provisions of the order will result in a three month suspension of the license and additional fines. The applicant pled guilty to two misdemeanor charges in other states, including a 2010 charge of driving with a revoked license in Tennessee and a 2015 charge of theft of Colorado.

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 a felony, or any offense reasonably related to the qualifications, functions or duties of any licensee” or is “guilty of unprofessional conduct,” 59 O.S.Supp.2015, § 567.8(B)(2), (7). Unprofessional conduct includes “conduct detrimental to the public interest.” OAC 485:10-11-1(b)(3)(H). The action seeks to enforce requirements that the Board consider relevant criminal history when evaluating the fitness of a nurse. The Board may reasonably believe that the disciplinary action is necessary to ensure that nurses are trustworthy and may be relied upon to provide safe, professional nursing care.

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 "Scott Pruitt".

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA