



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-718A

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

November 21, 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 10.042.17. The proposed action is to grant the application for endorsement of the license to Oklahoma. The applicant will be required to submit to an evaluation for substance use disorder and submit to twice monthly body fluid testing until the evaluation is reviewed. The license will be severely reprimanded, a \$500 fine will be imposed, and completion of a course in nursing law will be required. In January 1996 the applicant pled guilty to driving under the influence. In May 2008 the applicant was charged with driving under the influence and reckless driving.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2016, §§ 567.1–567.20, authorizes the Board to impose discipline when a nurse “is guilty of a felony, or any offense reasonably related to the qualifications, functions or duties of any licensee,” 59 O.S.Supp.2016, § 567.8(B)(2). The action seeks to enforce requirements that the Board consider relevant offenses and criminal history when evaluating the fitness of a nurse. Given that the applicant’s criminal history involves alcohol, the Board may reasonably believe that granting the application subject to an evaluation, substance abuse monitoring, additional education, and other discipline is necessary to ensure safe 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.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA