



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2015-66A

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

October 15, 2015

Dear Executive Director Glazier:

This office has received your request for a written Attorney General Opinion regarding agency actions that the Oklahoma Board of Nursing intends to take pursuant to settlement agreements in Board cases 3.116.16, 3.161.16, and 3.194.16. The proposed action in the first two cases requires the licensees to each take a class in nursing law and a class in the role of licensed practical nurses in long-term care while imposing a severe reprimand and a \$500 fine. The action in the third case requires classes in nursing law and nursing ethics along with a severe reprimand a \$500 fine. In the first case, 3.116.16, the nurse observed a skin tear and properly dressed it but then did not document the injury or change the dressing for about two weeks before it was discovered. In the second case, 3.161.16, the nurse failed to document an injury or perform assessments after patient complaints, then later failed to document both a physician's order and the actual administration of a drug. In the third case, 3.194.16, the nurse documented administration of a drug for several days even though it had not been dispensed and was not available.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2014, §§ 567.1–567.20, authorizes the Board to impose discipline when nurses “[f]ails to adequately care for patients or to conform to the minimum standards of acceptable nursing . . . [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.2014, § 567.8(B)(3), (8). The action in each case seeks to ensure that the licensee’s nursing skills rise to minimum standards and do not endanger patient health or safety. The Board may believe that being disciplined and fined and that additional education will ensure safe nursing practice in the future.

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 "E. Scott Pruitt", written over a horizontal line.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA