



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2015-74A

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 action that the Oklahoma Board of Nursing intends to take pursuant to a settlement agreement in Board case 3.196.16. The proposed action is to accept the voluntary surrender of a license for two years and, prior to reinstatement of the license, requiring four educational courses to be completed and payment of \$500. Further, reinstatement requires supervised practice of twelve months at a home care agency to be completed within two years of reinstatement. The licensee has already been disciplined twice in the past, and in this case failed to follow resuscitation procedures for a patient even though the patient's medical-legal status and current health status indicated resuscitation should be performed.

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 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 completion of additional educational requirements followed by supervised practice may allow this nurse to return to the profession 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