



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2016-702A

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

November 16, 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 3.144.17. The proposed action is to grant the application for licensure by examination, require completion of a course in nursing law, and reprimand the license upon issuance. The applicant failed to report misdemeanor traffic charges from 1999 in the application. The licensee also pled guilty to misdemeanor underage consumption in 1999.

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 deceit or material misrepresentation in procuring or attempting to procure” a license, 59 O.S.Supp.2016, § 567.8(B)(1)(a). “Deceit or material misrepresentation” includes any “false representation of facts in connection with an application for licensure.” OAC 485:10-11-1(b)(1)(A). The Board’s applications require the disclosure of all criminal history so that the Board may make an informed decision on licensure of individuals with statutorily relevant criminal histories. The Board may reasonably believe that the applicant’s failure to disclose a portion of such history warrants the disciplinary action, which action is necessary to deter future violations.

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 by ensuring that information in applications is truthful and complete.

A handwritten signature in black ink, appearing to read "Scott Pruitt", written over a horizontal line.

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA