



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2015-65A

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 3.033.16. The proposed action is to place a license on probation that requires the nurse to complete a term of supervised practice some time within the next two years. The action also requires payment of \$640.81 in investigation costs. The nurse had been disciplined by the Texas Board of Nursing, which required supervised practice and completion of five educational courses. The nurse finished the courses but has not conducted supervised practice. The Texas discipline occurred after the nurse failed to identify patients on at least two occasions—once while putting in feed tubes and another when administering medication—while in another instance the nurse, without a physician's order, had administered to a patient a drug to which that patient was allergic.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2014, §§ 567.1–567.20, authorizes the Board to impose discipline after nurses are disciplined in other jurisdictions as well as 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,” 59 O.S.Supp.2014, § 567.8(B)(3), (10). 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 temporary supervised practice can adequately ensure patient health is preserved.

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", is written over a horizontal line.

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA