



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-526A

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

August 19, 2016

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. The proposed action is to remove two certification examinations from the Board's approved list of examinations for Advanced Practice Registered Nurse ("APRN") licensure. The examinations will be moved to a list of examinations no longer approved by the Board for initial licensure. The examinations to be reclassified are Advanced AIDS Certified Registered Nurse and Advanced Oncology Certified Clinical Nurse Specialist.

Beginning January 1, 2016, the Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2015, §§ 567.1–567.20, required applicants for Advanced Practice Registered Nurse licensure to “have completed an accredited graduate level advanced practice registered nursing education program in at least one of the following population foci: family/individual across the lifespan, adult-gerontology, neonatal, pediatrics, women's health/gender-related, or psychiatric/mental health,” 59 O.S.Supp.2015, § 567.5a(B)(4). Such applicants must also “pass[] a national certification examination recognized by the Board.” 59 O.S.2011, § 567.3a(5)(b). The Board maintains a list of certification examinations that it has approved for use by applicants for initial licensure for APRN and also maintains a list of examinations that were previously approved, but such approval was later discontinued. *See* OAC 485:10-15-4(e). Once a certification examination has been removed from the Board's approved list, it may no longer serve as the basis for initial licensure, although individuals licensed pursuant to previously approved certification examinations may continue to be licensed as APRNs, provided the APRN license remains in active status and current certification is maintained. *See id.* A certification examination must “represent[] entry-level practice in the APRN role and specialty.” OAC 485:10-15-4(e)(6).

The decision to remove the Advanced AIDS Certified Registered Nurse certification was based on the fact that the certification does not require graduate level education, as is required for APRN licensure. *See* 59 O.S.Supp.2015, § 567.5a(B)(4). No active Oklahoma-licensed APRNs currently hold this certification. The decision to remove the Advanced Oncology Certified Clinical Nurse Specialist certification was based on the fact that it does not fit the specialty population categories for APRNs enumerated by statute. *See id.* There are two active Oklahoma-

licensed APRNs with this certification. Those individuals may continue to be licensed as APRNs so long as their licenses remain in active status and they maintain current certification. *See* OAC 485:10-15-4(e). The action falls within the Board's authority to approve national certification examinations that properly measure specialty competencies of applicants for APRN licensure. The Board may reasonably believe that it is appropriate to remove certification examinations that do not achieve this goal.

It is, therefore, the official opinion of the Attorney General that the Oklahoma Board of Nursing has adequate support for the conclusion that the action advances the State of Oklahoma's policy to protect the public health, safety, and welfare by ensuring that applicants for Advanced Practice Registered Nurse are competent to be licensed as measured through appropriate certification examinations.

A handwritten signature in black ink, appearing to read "Scott Pruitt", with a large, stylized flourish above the name.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA