



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2016-489A

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

August 5, 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 pursuant to a consent agreement in Board case 3.054.17. The proposed action is to place the license on probation for 12 months, during which time the licensee will be required to work under supervision in a health care agency. The licensee will also be required to provide quarterly self-assessment reports, will be fined \$1,500, and will be required to complete courses in nursing law, critical thinking, and medication administration. Failure to comply with the primary provisions of the order will result in a three month suspension of the license and additional fines. The licensee failed to administer physician-ordered medications to at least seven patients. The licensee has been disciplined by the Board in the past, including for failing to document nurse visits to home health patients.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2015, §§ 567.1–567.20, authorizes the Board to impose discipline when a nurse “[f]ails to adequately care for patients or to conform to the minimum standards of acceptable nursing” in a way that “unnecessarily exposes a patient or other person to risk of harm,” is “guilty of unprofessional conduct,” or “[i]s guilty of any act that jeopardizes a patient’s life, health or safety,” 59 O.S.Supp.2015, § 567.8(B)(3), (7), (8). Unprofessional conduct includes “conduct detrimental to the public interest.” OAC 485:10-11-1(b)(3)(H). Conduct which jeopardizes a patient's life, health or safety includes any “[f]ailure to utilize appropriate judgment in administering safe nursing practice.” OAC 485:10-11-1(b)(4)(D). The action seeks to enforce requirements that nurses provide adequate care to patients, which includes providing physician-ordered medications. The Board may reasonably believe that the disciplinary 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 nurses provide adequate nursing care.

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