



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2015-168A

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

November 18, 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 consent agreement in Board case 10.061.16. The proposed action is to accept the application for licensure but require the applicant to take a course in nursing law and require body fluid testing until a substance abuse evaluation can be completed. The applicant has 2012 and 2014 convictions for public intoxication and driving under the influence (respectively).

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2015, §§ 567.1–567.20, authorizes the Board to deny licenses when a nurse is “intemperate in the use of alcohol or drugs” in a way that could endanger patients, 59 O.S.Supp.2015, § 567.8(B)(4). The action seeks to ensure that the applicant does not endanger patients by requiring substance abuse monitoring and an evaluation for substance abuse problems at the outset of the applicant’s professional career. The Board may reasonably believe that education and monitoring and treatment will prevent the applicant from providing compromised nursing care.

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 patient health, safety, and welfare.

A handwritten signature in black ink, appearing to read "E. Scott Pruitt".

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA