



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2016-300A

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

May 16, 2016

Dear Executive Director Glazier:

This office has received your request for a written Attorney General Opinion regarding agency actions to be taken under the auspices of the Oklahoma Board of Nursing pursuant to a consent agreement in Board case 5.036.16. The proposed action is to require the licensee to complete an educational course in therapeutic communication. The licensee verbally abused a long-term resident and threatened to remove the resident from a long-term care facility.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2015, §§ 567.1–567.20, authorizes “corrective actions” when nurses violate the Act or its implementing administrative rules, see 59 O.S.Supp.2015, § 567.8a. The Act elsewhere authorizes the Board to impose discipline on nurses who are “guilty of unprofessional conduct as defined in the rules of the Board.” *Id.* § 567.8(B)(7). The Board’s rules clarify that “verbally or physically abusing patients” qualifies as unprofessional conduct. OAC 485:10-11-1(b)(3)(B). The action in this case seeks to deter future nursing practice that may harm patients and deviates from norms of professional behavior. It is a reasonable conclusion that, in the context of this case, additional education is necessary to prevent 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 these actions advance the State of Oklahoma’s policy that nurses observe minimum standards of professionalism.

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

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA