



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2015-51A

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. The proposed action is to enter a supplemental order requiring the registered nurse to complete a Nurse Refresher course by July 31, 2016, and then pay an administrative penalty of \$400 in Board case 3.178.16. Under the terms of the proposed order, the nurse's license will be suspended for three months upon failure to complete these terms. The nurse had been required to complete the course along with two others and pay the administrative penalty by July 31, 2015, pursuant to a prior agreed order.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2014, §§ 567.1–567.20, authorizes the Board to impose discipline when a nurse violates an “order of the Board,” 59 O.S.Supp.2014, § 567.8(B)(9). The action seeks to enforce an order of the Board requiring a nurse to meet certain educational requirements and pay penalties. Extending the time for compliance while attaching an automatic suspension will encourage compliance with the original agreed order between the registered nurse and the Board while offering ample opportunity for the nurse to comply.

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 advance 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