



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-81A

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

February 11, 2016

Dear Executive Director Glazier:

This office has received your request for a written Attorney General Opinion regarding agency action to be taken by the Oklahoma Board of Nursing pursuant to a consent agreement in Board case 3.310.16. The proposed action is to reinstate the license; impose a \$1,000 penalty; require courses in nursing law and nursing ethics; suspend the license for six months with credit for three months given; and require supervised practice for twelve months after the suspension ends. The licensee failed to report two felony convictions for forgery on a reinstatement application after the license lapsed.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2015, §§ 567.1–567.20, authorizes the Board to impose discipline when nurses put inaccurate information on license applications, 59 O.S.Supp.2015, § 567.8(B)(1)(a). The action seeks to enforce this requirement, which ensures that the Board has adequate information to make licensing decisions. The Act also authorizes discipline when nurses are “guilty of . . . any offense an essential element of which is fraud, dishonesty, or an act of violence.” *Id.* § 567.8(B)(2). Nurses are expected to provide patient care and then keep accurate patient records concerning that care. Criminal convictions related to fraud or dishonesty may reflect on the risk that a nurse will keep inaccurate records that result in compromising healthcare. The Board may reasonably believe that the discipline imposed in this action is necessary to effectively deter future dishonest conduct.

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 Oklahoma’s policies requiring accurate information in license applications and honesty in the practice of nursing.

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

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA