



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-102A

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

February 17, 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 with respect to the ITT Technical Institute Associate Degree Nursing Program in Tulsa, Oklahoma. The proposed action is to place the program on conditional approval for one year. Conditional approval restricts the program's ability to admit new students and requires the program to remedy the deficiencies that gave rise to conditional approval. *See* OAC 485:10-3-1(b)(3). The program has failed to have sufficient exam passage rates in national licensure exams for several years.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2015, §§ 567.1–567.20, requires the Board to promulgate and enforce educational standards for licensed practical nurses, 59 O.S.2011, § 567.12(B). The Board's rules require that admission and graduation policies be designed to ensure that students maintain sufficient completion and licensing examination pass rates. OAC 485:10-5-5(a)(9). The action seeks to enforce the Board's standards by allowing the program to continue operating while it makes improvements in the identified deficiencies. The Board may reasonably believe that improvements can be made that would render the program fully compliant with state law.

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 that nursing education programs meet minimum standards of educational quality.

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