



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2015-46A

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 in Board case 3.157.16. The proposed action is to revoke the registered nurse's license for a minimum period of five years. To be eligible for reinstatement, the nurse must also submit documentation of an evaluation of fitness to practice as well as administrative penalties and costs totaling \$5,206.29. The nurse had engaged in a course of abusive conduct in at least three documented situations that included failing to assess a patient with sepsis and pushing a patient to the ground, resulting in a hematoma on the patient's forehead.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2014, §§ 567.1–567.20, authorizes the Board to impose discipline when a nurse “[f]ails to adequately care for patients” in a way that “unnecessarily exposes a patient or other person to risk of harm”; is “guilty of unprofessional conduct”; or is “guilty of any act that jeopardizes a patient’s life, health or safety,” 59 O.S.Supp.2014, § 567.8(B)(3), (7), (8). The action seeks to enforce these serious and important rules by preventing the nurse from practicing for some time and then requiring a showing that she is fit to practice at the end of that period. Nurses are entrusted with significant responsibilities when caring for patients, and they must be prepared to fulfill those responsibilities in a way that preserves and advances patient health and safety.

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 the public health, safety, and welfare.

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

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA