



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2015-79A

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 actions that the Oklahoma Board of Nursing intends to take in Board cases 3.159.16, 3.176.16, 3.181.16, 3.195.16, and 3.202.16. The proposed actions are to reinstate the license with conditions in each case after each license lapsed without being renewed.

The licensee in case 3.159.16 is a registered nurse who failed to disclose discipline in another state and will receive a \$500 fine, a severe reprimand, and will be required to take nursing ethics and law classes. The licensee in 3.176.16 is a licensed practical nurse who has been convicted of obtaining property under false pretenses; that licensee will be fined \$500, reprimanded, and will be required to take a nursing law class. The licensee in 3.181.16 engaged in unlicensed practice after the lapse of a license; that licensee will be fined \$1,500, severely reprimanded, and required to take a nursing law class. The licensee in 3.195.16 failed to disclose a misdemeanor violation of compulsory education charge in several applications and will be severely reprimanded, must pay a \$500 fine, and will be required to take a nursing law class. The licensee in 3.202.16 had two alcohol-related misdemeanor convictions, including one in the last year. That licensee will be reprimanded, will be required to take a nursing law class, will be fined \$500, and will be required to submit to drug and alcohol testing.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2014, §§ 567.1–567.20, authorizes the Board to discipline nurses who apply for licenses with deceit or material misrepresentations as well as nurses who are “intemperate in the use of alcohol or drugs, which use the Board determines endangers or could endanger patients” and nurses who are convicted of crimes involving dishonesty, 59 O.S.Supp.2014, § 567.8(B)(1)(a), (2), (4). The Act also prohibits the practice of nursing without a license in compliance with the Act. *See* 59 O.S.2011, § 567.14. The actions seek to ensure that applicants seeking to reinstate their licenses will not provide compromised nursing practice by disciplining them for conduct characterized by dishonesty or to ensure they are not habitually using alcohol or drugs or to encourage compliance with the Act’s licensure requirements.

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', written in a cursive style.

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA