



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-495A

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

August 5, 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 pursuant to a consent agreement in Board case 3.061.17. The proposed action is to require the licensee to complete courses in nursing law and nursing ethics. In addition, the licensee will be fined \$250 and severely reprimanded. Failure to comply with the primary provisions of the order will result in a three month suspension of the license and additional fines. The licensee, while working in a hospital labor and delivery unit, failed to perform a number of tasks in connection with the scheduled induction of a fourteen-year-old expectant mother. In particular, the licensee failed to timely complete an admission assessment, obtain vital signs, place a fetal monitor, and administer a physician-ordered medication used to induce labor. The licensee was terminated from the hospital.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2015, §§ 567.1–567.20, authorizes the Board to impose discipline when a nurse “[f]ails to adequately care for patients or to conform to the minimum standards of acceptable nursing” 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.2015, § 567.8(B)(3), (7), (8). Unprofessional conduct includes “leaving a nursing assignment or patient care assignment without properly advising appropriate personnel.” OAC 485:10-11-1(b)(3)(F). Conduct which jeopardizes a patient's life, health or safety includes any “[f]ailure to utilize appropriate judgment in administering safe nursing practice.” OAC 485:10-11-1(b)(4)(D). The action enforces requirements that nurses provide adequate care to patients. The Board may reasonably believe that the disciplinary action will deter future violations.

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 by ensuring nurses provide adequate care to patients.

A handwritten signature in black ink, appearing to read "Scott Pruitt", with a long horizontal line extending to the right from the end of the signature.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA