



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-461A

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 3.007.17. The proposed action is to require the licensee to complete courses in nursing law and nursing documentation, issue a reprimand, and impose a fine of \$500. If the licensee fails to comply with the Board's order, the license will be suspended for three months, and an additional fine will be assessed. The licensee failed to properly document patients' health conditions. The licensee also incorrectly completed forms during patient home visits, which created insurance reimbursement problems.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2015, §§ 567.1–567.20, authorizes the Board to impose discipline when a nurse is “guilty of unprofessional conduct,” 59 O.S.Supp.2015, § 567.8(B)(7). Unprofessional conduct includes inaccurate recording of patient records. OAC 485:10-11-1(b)(3)(A). The action seeks to enforce requirements that patient records be recorded completely and accurately. The Board may reasonably believe that its action will deter future mistakes and improve the licensee's documentation practice.

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 patient records are accurately kept.

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

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA