



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

**ATTORNEY GENERAL OPINION
2016-98A**

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 to be taken by the Oklahoma Board of Nursing pursuant to a consent agreement in Board case 3.214.16. The licensee was disciplined in 2011 for several care-related violations including false documentation, administering incorrect drugs to patients, and failing to assess patients when necessary. The 2011 discipline required 12 months of supervised practice to be completed in 24 months, but the licensee received an extension allowing another 24 months to complete the supervised practice. The licensee has not completed any of the supervised practice.

The proposed action is to require the licensee to complete a course in medication administration and a "nurse refresher" course and to grant an additional 24 months to complete the licensee's 12 months of supervised practice.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2015, §§ 567.1–567.20, authorizes the Board to impose discipline when nurses fail to comply with Board orders, 59 O.S.Supp.2015, § 567.8(B)(9). The action seeks to enforce the prior Board order by imposing additional education requirements and extending the time in which the licensee must comply with the prior order's requirements. The Board may reasonably believe these steps adequate to protect patients from compromised nursing care.

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 of upholding minimum standards of care and of professionalism within the nursing profession.

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