



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2016-475A

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 3.034.17. The proposed action is to impose a fine of \$500, issue a reprimand, and require the licensee to complete a course in nursing law. If the licensee fails to comply with the order, the license will be suspended for three months and additional fines will be imposed. The licensee failed to document that a patient was injected with an implant in a plastic surgery procedure.

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” or is “guilty of unprofessional conduct,” 59 O.S.Supp.2015, § 567.8(B)(3), (7). Unprofessional conduct includes “conduct detrimental to the public interest.” OAC 485:10-11-1(b)(3)(H). Excluding surgical events from a patient’s medical records may result in harm to the patient. The action seeks to enforce requirements that nurses carefully document patient medical records. The Board may reasonably believe that imposing 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 meet minimum standards of professionalism.

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA