



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2016-478A

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 3.038.17. The proposed action is to grant the application for licensure by examination subject to the completion of courses in nursing law and critical thinking. Also, a severe reprimand will be issued, and the applicant will not be permitted to work in home health care, hospice or staffing agency for two years. Failure to comply with the Board's order will result in a three month suspension of the license and additional fines. Between 1999 and 2014, the applicant pled either guilty or no contest to numerous criminal charges including possession of marijuana and drug paraphernalia, larceny, assault and battery, obstructing a police officer, bogus check, public intoxication, and allowing a gathering where minors are consuming alcohol.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2015, §§ 567.1–567.20, authorizes the Board to impose discipline when a nurse “[i]s guilty of a felony, or any offense reasonably related to the qualifications, functions or duties of any licensee,” 59 O.S.Supp.2015, § 567.8(B)(2). The action seeks to enforce requirements that the Board consider relevant criminal history when evaluating the fitness of a nurse. The Board may reasonably believe that additional education and workplace restrictions are necessary to ensure that nurses are trustworthy and may be relied upon to provide safe, professional 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 to protect the public health, safety, and welfare.

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA