



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2015-75A

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

October 15, 2015

Dear Executive Director Glazier:

This office has received your request for a written Attorney General Opinion regarding agency actions that the Oklahoma Board of Nursing intends to take in Board case 10.042.16. The proposed action is to deny an application for licensure by endorsement. The applicant failed to report prior disciplinary actions, which included a revocation of license in one state and the voluntary surrender of a license in another state. The applicant has a history of drug diversion and medical record falsification offenses.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2014, §§ 567.1–567.20, authorizes the Board to impose discipline when nurses apply for licenses with deceit or material misrepresentations and when nurses are disciplined in other jurisdictions, 59 O.S.Supp.2014, § 567.8(B)(1)(a), (10). The Act also authorizes discipline when a nurse is “intemperate in the use of alcohol or drugs, which use the Board determines endangers or could endanger patients.” *Id.* § 567.8(B)(4). The action here seeks to protect the safety of the public from compromised nursing care involving the diversion of drugs and the falsification of medical records where the application for licensure shows falsification and past discipline has occurred for those reasons.

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.

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