



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2016-95A

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 in Board case 3.201.16. The proposed action is to revoke the license for two years; to require completion of courses in nursing law, care of diabetic patients, and the responsibilities of licensed practical nurses; and to require supervised practice in a hospital for twelve months upon reinstatement. Additionally, prior to reinstatement, the licensee must pay fines and costs totaling \$6,603.40.

On at least four occasions, the licensee failed to test the blood sugar of seven assigned diabetic residents despite patient orders to do so using a finger stick blood sugar test. The licensee then falsified medical records to show that the tests had been performed and administered insulin to the patients based on the false data. Further, when applying for reinstatement, the licensee falsified the application by forging a superior's signature on an employment verification form and including false employment dates.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2015, §§ 567.1–567.20, authorizes the Board to impose discipline when nurses' inadequate care "unnecessarily exposes a patient or other person to risk of harm," when they are guilty of "unprofessional conduct as defined in the rules of the Board," and when they are "guilty of any act that jeopardizes a patient's life, health or safety," 59 O.S.Supp.2015, § 567.8(B)(3), (7), (8). The Board's rules define "unprofessional conduct" to include altering or falsifying patient records. OAC 485:10-11-1(b)(3)(A). The Board also may impose discipline when nurses attempt to gain licensure through fraudulent or dishonest means. 59 O.S.Supp.2015, § 567.8(B)(1)(a).

The licensee's failure to check the blood sugar of diabetic patients posed serious risks to those patients' health and safety. That risk was significantly magnified by the licensee's decision to administer insulin based on fabricated blood sugar levels. Further, the falsified blood sugar information could have formed the basis for additional medical decisions that could have resulted in compromised medical care. The Board's decision to prevent the licensee from practicing for some time while requiring additional education and fines may be reasonably necessary to prevent future compromised care and to discourage 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 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", written in a cursive style.

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA