



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-696A

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

November 16, 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 3.124.17. The proposed action is to severely reprimand the license, impose a \$500 fine, and require completion of courses in nursing law and nursing ethics to include professional boundaries. While working in a health department, the licensee forged other nurses' signatures and initials on clinical laboratory requisition forms, billing sheets, and lab logs. The requisition forms and billing sheets are part of patients' medical records. The licensee has been subject to Board discipline in the past.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2016, §§ 567.1–567.20, authorizes the Board to impose discipline when a nurse “fails to adequately care for patients or to conform to the minimum standards of acceptable nursing” in a way that “exposes a patient or other person to risk of harm” or is “guilty of unprofessional conduct,” 59 O.S.Supp.2016, § 567.8(B)(3), (7). Unprofessional conduct includes “inaccurate recording, falsifying, altering or inappropriate destruction of patient records.” OAC 485:10-11-1(b)(3)(A). The action enforces requirements that nurses accurately document medical records, thereby protecting patients. The Board may reasonably believe that the disciplinary action is necessary to 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.

A handwritten signature in black ink, appearing to read "E. Scott Pruitt".

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA