



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2017-746A

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

October 26, 2017

Dear Executive Director Glazier:

This office has received your request for a written Attorney General Opinion regarding action that the Oklahoma Board of Nursing intends to take pursuant to consent agreements in cases 10.011.18 (application to take NCLEX-RN exam) and 10.013.18 (application to take NCLEX-LPN exam). Each applicant pled guilty or no contest to alcohol-related misdemeanors in the past. The Board proposes to grant the applications, but require the applicants to submit an evaluation for Board review, submit to periodic drug screens until review of the evaluation, and complete an education course.

The Oklahoma Nursing Practice Act 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 [nursing].” 59 O.S.Supp.2016, § 567.8(B)(2). For violations of the Act, the Board may assess administrative penalties and “otherwise discipline licensees.” *Id.* § 567.8(A)(2)-(3). The Board may reasonably believe that the proposed action is necessary to protect patients by ensuring that nurses are working substance free.

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’s policy to protect public health, safety, and welfare by ensuring nurses meet minimum standards of professional conduct.

A handwritten signature in black ink, appearing to read "Mike Hunter".

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Ryan Chaffin".

RYAN CHAFFIN
DEPUTY CHIEF – ASSISTANT ATTORNEY GENERAL