



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2017-796A

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

November 17, 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 a consent agreement in case 5.021.18. The licensee's license lapsed in January of 2016, and in August 2017, the licensee submitted a reinstatement application. Additionally, in February 2015, the licensee failed to perform and document a focused assessment, failed to notify the physician, Director of Nursing and the family, and failed to initiate an incident report regarding patient abuse that occurred and was reported to the licensee at a nursing center. The Board proposes to approve the renewal application, but require the licensee to complete a remedial education course.

The Oklahoma Nursing Practice Act authorizes "corrective action" when a nurse "fails to adequately care for patients or to conform to the minimum standards of acceptable nursing" in a way that "unnecessarily exposes a patient or other person to risk of harm." 59 O.S.Supp.2017, §§ 567.8a(A), 567.8(B)(3). The Board's rules state that "[s]ufficient knowledge or reasonable skill means adherence to minimal standards of acceptable [nursing practice]." OAC 485:10-11-1(b)(2). The Board may reasonably believe that the proposed 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's policy to protect public health, safety, and welfare by ensuring that nurses meet minimum standards of professional conduct.

Handwritten signature of Mike Hunter in black ink.

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

Handwritten signature of Amanda Otis in black ink.

AMANDA OTIS  
ASSISTANT ATTORNEY GENERAL