



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2017-801A

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 consent agreement in case 6.015.18. While working at a behavioral health treatment center, the licensee failed to confiscate contraband during the initial risk screening of a patient who was later found to have used the item in an apparent suicide attempt. The Board proposes to accept the voluntary surrender of the license and, prior to reinstatement, require the completion of remedial education courses and payment of a \$500 administrative penalty.

The Oklahoma Nursing Practice Act 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 “unnecessarily exposes a patient or other person to risk of harm,” “is guilty of unprofessional conduct,” or “is guilty of any act that jeopardizes a patient’s life, health or safety.” 59 O.S.Supp.2017, § 567.8(B)(3), (7-8). Unprofessional conduct includes “conduct detrimental to the public interest” and jeopardizing a patient’s life, health, and safety by a nurse’s “failure to utilize appropriate judgment in administering safe nursing practice.” OAC 485:10-11-1 (b)(3)(H), (4)(D). 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 nurses meet minimum standards of professional conduct.

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

AMANDA OTIS  
ASSISTANT ATTORNEY GENERAL