



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2017-823A

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

December 1, 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 in case 6.023.18. The licensee took a prescription pad and wrote a prescription for the licensee's own X-ray. The Board proposes to accept the voluntary surrender of Respondent's license for a minimum of one year, and prior to reinstatement require completion of education courses. Upon reinstatement, the licensee will be required to pay a \$500 administrative penalty.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline when a nurse "[f]ails to adequately care for patients or to conform to the minimum standards of acceptable nursing," "[i]s guilty of unprofessional conduct as defined in the rules of the Board," or has "[v]iolated a rule promulgated by the Board." 59 O.S.Supp.2017, § 567.8(B)(1)(a), (7), (9). Unprofessional conduct includes "presenting a forged prescription." OAC 485:10-11-1 (b)(3)(O). 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.

A handwritten signature in black ink that reads "Mike Hunter".

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in black ink that reads "Amanda Otis".

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL