



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2017-827A

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

December 5, 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 3.091.18. The licensee failed to initiate an incident report for injuries found on an infant during a home visit. The Board proposes to require the licensee to complete education courses including Physical Assessment to include Care of the Infant, accept the licensee's offer to not work as an RN in home health care or hospice for two years, issue a severe reprimand, and require payment of a \$1,000 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," "is guilty of any act that jeopardizes a patient's life, health or safety," or "[v]iolate[s] a rule promulgated by the Board." 59 O.S.Supp.2017, § 567.8(B)(3), (7-9). 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