



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2017-828A

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 3.095.18. The licensee admits to practicing outside the scope of the licensee's practice by performing dermal filler injections, laser tattoo removal, and/or other procedures without the formation and documentation of an appropriate physician/patient relationship and physician orders. The Board proposes to make unannounced visits to the Medical Spa to review medical records for 12 months and require the licensee to submit Medical Spa monthly appointment logs for nine months, issue a severe reprimand, and require the licensee to complete education courses and pay a \$3,500 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). 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