



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-107A

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

April 6, 2018

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 6.041.18. The licensee pled guilty to two felonies and took an Alford Plea to one additional felony. The licensee has requested to voluntarily surrender the license. The Board proposes to accept the surrender and prohibit reinstatement for three years. If reinstated, the license will be temporarily suspended pending acceptance to the Board's peer assistance program ("PAP"). If the licensee does not complete PAP, the license will be revoked for two years and the licensee shall pay an administrative penalty of \$1,500 and meet the Board's guidelines for reinstatement. If reinstated after revocation, the license will be temporarily suspended pending readmission to PAP.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline when a nurse "[i]s guilty of a felony, or any offense reasonably related to the qualifications, functions or duties of any licensee," "[f]ails 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," or "[i]s guilty of unprofessional conduct." 59 O.S.Supp.2017, § 567.8(B)(2-3), (7). 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.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

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ASSISTANT ATTORNEY GENERAL