



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-120A

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

April 13, 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 pursuant to consent agreements in cases 3.231.18, 3.232.18, and 3.233.18. Each case involves falsification of an application and/or the commission of a crime that violates statutory standards. The details of violations and the proposed action for each licensee are attached on Appendix A.

The Oklahoma Nursing Practice Act authorizes disciplinary action when a nurse “is guilty of deceit or material misrepresentation in procuring or attempting to procure” a license, “[i]s guilty of a felony, or any offense reasonably related to the qualifications, functions or duties of any licensee or any offense an essential element of which is fraud, dishonesty, or an act of violence, or for any offense involving moral turpitude,” or is “guilty of unprofessional conduct.” 59 O.S.Supp.2017, § 567.8(B)(1)(a), (2), (7). The Board may reasonably believe that the proposed actions are 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.

Handwritten signature of Mike Hunter in black ink.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

Handwritten signature of Amanda Otis in black ink.

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL



Board Case No.	Details of Violation	Proposed Action
3.231.18	The applicant has been convicted of several drug-related crimes, which raises concern about the applicant's ability to provide adequate nursing care.	Grant the application, but require the licensee to submit to an evaluation within 60 days of licensure. Upon licensure, require periodic drug screenings until the end of the evaluation and completion of a remedial education course.
3.232.18	Licensee falsified an application for renewal by failing to disclose a felony. It is for this falsification and the felony charge that the licensee is being disciplined.	Issue a severe reprimand and require the licensee to complete an evaluation, to submit to periodic drug screens for 12 months, to complete remedial education courses, and to pay a \$1,000 administrative penalty.
3.233.18	Licensee falsified a NCLEX-RN exam application, and subsequent renewal applications, by failing to disclose two misdemeanors. It is for this falsification and the misdemeanor charges that the licensee is being disciplined.	Issue a severe reprimand and require the licensee to complete remedial education courses, and pay a \$2,500 administrative penalty.