



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-130A

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

April 19, 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 a consent agreement in case 3.008.18. The license was placed on temporary emergency suspension for events that occurred while the licensee was working as a nurse in Arkansas. The licensee has requested a hearing on the temporary suspension and requests referral to the Board's peer assistance program ("PAP"). The Board proposes to continue the temporary suspension pending acceptance to PAP. If the licensee does not complete PAP the license will be revoked for two years. If revoked, the licensee must meet the Board's guidelines for reinstatement and pay an administrative penalty of \$1,500. If reinstated, the Board will re-refer the licensee to PAP.

The Oklahoma Nursing Practice Act authorizes disciplinary action when a nurse "[i]s intemperate in the use of alcohol or drugs," "[i]s guilty of unprofessional conduct," or "[h]as had disciplinary actions taken against the individual's . . . license . . . in this or any state, territory or country." 59 O.S.Supp.2017, § 567.8(B)(4), (7), (10). 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, appearing to read "Mike Hunter".

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Amanda Otis".

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL