



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-138A

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 3.133.17. Due to issues with Controlled Dangerous Substances, the licensee was disciplined by the Colorado Board of Nursing ("CO BON"). The licensee has now requested to voluntarily surrender the license. The Board proposes to accept the surrender. Prior to reinstatement, the licensee must complete the Colorado Nursing Board's program. Upon reinstatement, if the licensee has not completed the CO BON's program, the licensee will be placed on temporary suspension pending admission to the Board's peer assistance program ("PAP"). If PAP is not completed, the license will be revoked for two years, and the licensee will be required to pay an administrative penalty of \$2,500 and meet the Board's guidelines for reinstatement.

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," "[i]s guilty of any act that jeopardizes a patient's life," 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), (7-8), (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.

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