



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-164A

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

May 11, 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 06.036.18. The licensee pushed a resident down onto the resident's recliner. The licensee has requested to voluntarily surrender the license. The Board proposes to accept the voluntary surrender, and within 90 days prior to reinstatement complete a remedial education course. Upon reinstatement, the licensee will be required to complete 1440 cumulative hours of supervised practice to be completed within 2 years and pay an administrative penalty of \$500.

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 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 nurses meet minimum standards of professional conduct.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL