



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-195A

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

June 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 in case 3.005.18. In 2017, the licensee entered into an agreed order with the Board. In 2018, the license was temporarily suspended for failure to comply with the order. The licensee has requested to voluntarily surrender the license. The Board proposes to accept the voluntary surrender, and upon reinstatement, require the licensee to submit to body fluid testing twice monthly for six months.

The Oklahoma Nursing Practice Act authorizes disciplinary actions when nurses violate the Act by committing “any offense reasonably related to the qualifications, functions or duties of any licensee,” “[f]ail[ing] 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,” engaging in “unprofessional conduct as defined in the rules of the Board,” or by “[v]iolat[ing] a rule promulgated by the Board . . . or a state or federal law relating to the practice of registered . . . nursing[.]” 59 O.S.Supp.2017, § 567.8(A), (B)(3), (7), (9). 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.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

RYAN CHAFFIN
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