



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-196A

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 pursuant to a consent agreement in case 3.026.17. The licensee previously entered into an agreed order with the Board, with which the licensee did not comply. As a result, the license was suspended in February 2017. In March 2017, the licensee practiced registered nursing with an inactive license. Subsequently, the licensee submitted an application for reinstatement, but falsified the application by failing to report working with an inactive license. The Board proposes to grant the application, but issue a severe reprimand and require the licensee to pay an administrative penalty of \$500.

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. 59 O.S.Supp.2017, § 567.8(B)(1)(a). “Deceit or material misrepresentation” includes any “false representation of facts in connection with an application for licensure.” OAC 485:10-11-1(b)(1)(A). 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 that licensure applications are truthful and complete.

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 "Ryan Chaffin", with a long horizontal line extending to the right.

RYAN CHAFFIN
DEPUTY CHIEF - ASSISTANT ATTORNEY GENERAL