



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-225A

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

June 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 consent agreements in cases 10.028.18, 10.030.18, and 10.031.18. Each case involves an applicant being charged with a crime. The details of the violations and the proposed action for each applicant are attached on Appendix A.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline when a nurse “[i]s guilty of a felony, or any offense reasonably related to the qualifications, functions or duties of any licensee.” 59 O.S.Supp.2017, § 567.8(B)(2). 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.

A handwritten signature in black ink that reads "Mike Hunter".

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in black ink that reads "Ryan Chaffin".

RYAN CHAFFIN
DEPUTY CHIEF - ASSISTANT ATTORNEY GENERAL

APPENDIX A

Board Case No.	Details of Violation	Proposed Action
10.028.18	The respondent is an applicant to take the NCLEX-LPN exam. In 2015, the applicant was charged with several misdemeanors.	Grant the application, but require the applicant, within 60 days of licensure, to submit to an evaluation and submit to twice monthly drug screenings until the evaluation is reviewed. Additionally, the applicant must complete a remedial education course.
10.030.18	The respondent is an applicant to take the NCLEX-RN exam. In 2009, the applicant was charged with one felony and one misdemeanor. Subsequently, the applicant agreed to submit an evaluation to the Board.	Grant the application, but upon licensure, require the applicant to complete a remedial education course and submit to twice monthly drug screens for six months.
10.031.18	The respondent is an applicant to take the NCLEX-LPN exam. In 2015, the applicant was charged with three misdemeanors. In 2017, the applicant was charged with two misdemeanors and one felony.	Grant the application, but require the applicant, within 60 days of licensure, to submit to an evaluation and submit to twice monthly drug screenings until the evaluation is reviewed. Additionally, the applicant must complete a remedial education course.