



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-229A

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

June 26, 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 cases 5.061.18, 5.062.18, and 5.063.18. Each case involves the license lapsing and each licensee continuing to practice without an active license. The details of the violations and the proposed action for each licensee are attached on Appendix A.

The Oklahoma Nursing Practice Act authorizes corrective actions when a nurse “violates the Act or a rule” promulgated by the Board. 59 O.S.Supp.2017, § 567.8(A), (B)(7), (9). Corrective action includes “remedial education, an administrative penalty, or any combination” thereof. *Id.* § 567.8a. The Board’s rules state that corrective action is appropriate when the licensee “practice[s] without current licensure[.]” OAC 485:10-12-3. 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
DEPUTY CHIEF - ASSISTANT ATTORNEY GENERAL

APPENDIX A

Board Case No.	Details of Violation	Proposed Action
5.061.18	The license has previously lapsed and been reinstated. Now, the licensee worked without an active license from March 1, 2018 through March 2, 2018. On March 7, 2018, the licensee submitted an application for reinstatement.	Reinstate the license and require the licensee to complete a remedial education course.
5.062.18	The license has previously lapsed and been reinstated. Now, the licensee worked without an active license from January 1, 2018 through January 24, 2018. In March 2018, the licensee submitted an application for reinstatement.	Reinstate the license and require the licensee to complete a remedial education course.
5.063.18	The license has previously lapsed and been reinstated. Now, the licensee worked without an active license from February 1, 2018 through March 10, 2018. In March 2018, the licensee submitted an application for reinstatement.	Reinstate the license and require the licensee to complete a remedial education course and pay an administrative penalty of \$100.