



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2018-243A

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

June 27, 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 5.071.18. In 2002, the licensee was charged with two misdemeanors. In March of 2018, the licensee submitted a RN endorsement multistate application and falsified said application by failing to report the 2002 misdemeanor charges. The Board proposes to approve the endorsement application, but require the licensee to complete a remedial education course and pay a \$500 administrative penalty.

The Oklahoma Nursing Practice Act authorizes corrective action when a nurse "is guilty of deceit or material misrepresentation in procuring or attempting to procure" a license and when a nurse "[i]s guilty of unprofessional conduct." 59 O.S.Supp.2017, §§567.8a(A), 567.8(B)(1)(a), (7). "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). "Unprofessional conduct" includes "'falsifying documents submitted to the Board[.]" OAC 485:10-11-1(b)(3)(E). 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.

Handwritten signature of Mike Hunter in black ink.

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

Handwritten signature of Ryan Chaffin in black ink.

RYAN CHAFFIN  
DEPUTY CHIEF – ASSISTANT ATTORNEY GENERAL