



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-254A

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

July 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 5.067.18. The licensee was charged with a misdemeanor in 2016. In December 2017, the licensee falsified a LPN license renewal by failing to disclose the 2016 misdemeanor. The Board proposes to require the completion of a remedial education course and payment of an 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 or “[i]s guilty of unprofessional conduct as defined in the rules of the Board.” 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” and “conduct detrimental to the public interest[.]” OAC 485:10-11-1(b)(3)(E), (H). 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.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

RYAN CHAFFIN
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