



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2018-263A

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 5.065.18. The licensee was charged with a misdemeanor in 2005. In October 2017, the licensee falsified a RN endorsement application by failing to disclose the 2005 misdemeanor. The Board proposes to grant the endorsement application, but require the completion of an 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[.]" 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.

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".

RYAN CHAFFIN  
DEPUTY CHIEF ASSISTANT ATTORNEY GENERAL