



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-307A

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

August 14, 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 agreement in case 3.024.19. The licensee was subject to disciplinary action in California, Virginia and Ohio. In January 2018, the licensee submitted a RN reinstatement application in Oklahoma, but falsified the application by failing to disclose the Virginia disciplinary action. The Board proposes to grant the application, but require supervised practice for 1,440 cumulative worked hours to be completed in 2 years in a hospital, require the licensee to complete an education course and impose a \$500 administrative penalty.

The Oklahoma Nursing Practice Act authorizes discipline when a nurse "is guilty of deceit or material misrepresentation in procuring or attempting to procure" a license, "is guilty of unprofessional conduct" or "has had disciplinary actions taken against [their] . . . nursing license . . . in this or any state, territory or country." 59 O.S.Supp.2017, § 567.8(B)(1)(a), (7), (10). "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.

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