



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2018-309A

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 3.029.19. The licensee, an advanced practice registered nurse-certified nurse practitioner (APRN-CNP), wrote prescriptions for medications with lapsed prescriptive authority. The licensee submitted an APRN-CNP prescriptive authority recognition reinstatement application on November 29, 2017. The Board proposes to grant the application, but require the completion of an education course, issue a reprimand and impose a \$1,300 administrative penalty.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline when a nurse “[i]s guilty of unprofessional conduct” or has “[v]iolated a rule promulgated by the Board.” 59 O.S.Supp.2017, §§ 567.8(B)(7), (9). Unprofessional conduct is defined as “conduct detrimental to the public interest.” OAC 485:10-11-1(b)(3)(H). An APRN-CNP “must have a supervising physician on file with the Board prior to prescribing drugs or medical supplies.” OAC 485:10-16-5(b). 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.

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