



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-310A

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 in case 10.001.19. The applicant, a registered nurse (RN) seeking to endorse his/her license to Oklahoma, was charged with 3 misdemeanors in 2001. After the applicant falsified the RN endorsement application by failing to disclose the misdemeanors, the Board offered the applicant an agreed order that would grant the application, but require the completion of an education course, issue a severe reprimand and impose a \$500 administrative penalty. The applicant declined the offer. Now the Board proposes to deny the application.

The Oklahoma Nursing Practice Act authorizes the Board to deny licensure when a nurse "is guilty of deceit or material misrepresentation in procuring or attempting to procure" a license, "[i]s guilty of a felony, or any offense reasonably related to the qualifications, functions or duties of any licensee," or is "guilty of unprofessional conduct." 59 O.S.Supp.2017, § 567.8(B)(1)(a), (2), (7); *See also* OAC 485:10-11-1(b)(1)(A), (b)(3)(E), (H). The Board may reasonably believe that the proposed action is necessary to uphold the professional standards of licensed nurses.

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 nurses meet minimum standards of professional conduct.

A handwritten signature in black ink that reads "Mike Hunter".

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in black ink that reads "Ryan Chaffin".

RYAN CHAFFIN
DEPUTY CHIEF ASSISTANT ATTORNEY GENERAL