



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-317A

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 3.001.19. The licensee was charged with misdemeanors in 2008 and 2010. In 2011 and 2013, the licensee failed to disclose the 2008 misdemeanor on license renewal applications. In 2015 and 2016, the licensee failed to disclose both misdemeanors on license renewal applications. On July 14, 2017, the licensee failed to complete admission documentation and perform and document focused assessments for a new admission and for a re-admission to a nursing home. The Board proposes to require the completion of education courses, issue a severe reprimand, require the payment of \$969.52 in investigative costs and impose a \$4,000 administrative penalty.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline 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,” “[f]ails to adequately care for patients or to conform to the minimum standards of acceptable nursing” in a way that “unnecessarily exposes a patient or other person to risk of harm,” “[i]s guilty of unprofessional conduct,” or “is guilty of any act that jeopardizes a patient’s life, health or safety.” 59 O.S.Supp.2017, § 567.8(B)(1)(a), (2-3), (7-8); *See also* OAC 485:10-11-1(b)(1)(A), (b)(2), (b)(3)(E) and (H), and (b)(4)(D). 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 nurses meet minimum standards of professional conduct.



MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA



RYAN CHAFFIN
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