



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-318A

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 an emergency order of temporary suspension in case 3.002.19. A complaint filed with the Board on June 1, 2018 alleged, in part, that the licensee had stolen controlled dangerous substance (CDS) medications from a nursing home. On June 19, 2018 the complaint and a notice of hearing were mailed to the licensee by certified/restricted delivery at the address provided to the Board. Service was unsuccessful. A nurse investigator also attempted unsuccessfully to contact the licensee via telephone and e-mail. The Board proposes to temporarily suspend the licensee's RN license pending hearing of the complaint.

The Oklahoma Nursing Practice Act authorizes the Board to discipline licensees that violate the Act and/or Board rules. 59 O.S.Supp.2017, § 567.8(A), (B). Board rules specifically provide that a "notice of change of address must be submitted in writing by each licensee within 30 days of the change." OAC 485:10-7-9(c). 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 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