



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2018-324A

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 3.029.18. After admitting to sexually assaulting a patient, the licensee voluntarily surrendered his/her license pending a hearing. *See* AG Opinions 2017-760A and 2018-137A. The Complainant and licensee have jointly requested a continuance of the Board hearing until after the completion of criminal proceedings. The Board proposes to issue an order of continuance. The licensee's license shall remain surrendered pending resolution of criminal proceedings and pending a hearing before the Board.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline when a nurse "fails 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," "is guilty of unprofessional conduct," "is guilty of any act that jeopardizes a patient's life, health or safety," "[f]ails to maintain professional boundaries with patients," or "[e]ngages in sexual misconduct . . . with a current or former patient." 59 O.S.Supp.2017, § 567.8(B)(3), (7), (12-13). 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