



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-325A

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 3.070.18. In September 2017, the licensee entered into an agreed order that required the licensee to submit an evaluation to the Board for review, submit to periodic drug screens until the evaluation was reviewed, complete an education course and pay an administrative penalty. *See* AG Opinion 2017-725A. The licensee submitted the required evaluation and requested a referral to the Board's Peer Assistance Program (PAP). The Board proposes to accept the evaluation and temporarily suspend the license pending acceptance to PAP. If the licensee is not accepted to or terminates/defaults from PAP, the license will be revoked for two years with certain conditions imposed upon reinstatement.

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). 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