



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2018-336A

Kim Glazier, Executive Director  
Oklahoma Board of Nursing  
2915 N. Classen Blvd., Ste. 524  
Oklahoma City, Oklahoma 73106

August 23, 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 a consent agreement in case 5.003.19. The licensee, who has been previously disciplined by the Board, tested positive for controlled dangerous substance medication on a pre-employment screening. The licensee was not employed as a nurse at the time of this screening. The Board proposes to require the licensee to pay an administrative penalty of \$250.

The Oklahoma Nursing Practice Act authorizes corrective actions when a nurse “violates the Act or a rule” promulgated by the Board. 59 O.S.Supp.2017, § 567.8a(A). Corrective action includes “remedial education, an administrative penalty, or any combination” thereof. *Id.* It is a violation of the Board’s rules to engage in “conduct detrimental to the public interest” OAC 485:10-11-1(b)(3)(H). 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 "Amanda Otis".

AMANDA OTIS  
ASSISTANT ATTORNEY GENERAL