



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2018-290A

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

July 24, 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 5.073.18. The licensee worked as a licensed practical nurse (LPN) without an active license from May 1, 2017 – April 18, 2018. The licensee has submitted a LPN reinstatement application. The Board proposes to grant the application, but require the licensee to complete a remedial education course and pay a \$1,600 administrative penalty.

The Oklahoma Nursing Practice Act authorizes corrective action when a nurse “[i]s guilty of unprofessional conduct,” or has “[v]iolated a rule promulgated by the Board.” 59 O.S.Supp.2017, §§ 567.8a(A); 567.8(B)(7), (9). Unprofessional conduct is defined as “conduct detrimental to the public interest.” OAC 485:10-11-1(b)(3)(H). The Act further states that “[n]o person shall practice or offer to practice . . . nursing . . . in this state unless the person has complied with the provisions of the [Act].” 59 O.S.2011, § 567.14(A). 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