



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-291A

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 a consent agreement in case 5.004.19. On July 29, 1986, the licensee was charged with Solicitation for Prostitution, a misdemeanor. On June 1, 2018, the licensee submitted an endorsement RN application but failed to disclose the 1986 misdemeanor. The Board proposes to grant the application, but require the completion of an education course and impose a \$500 penalty.

The Oklahoma Nursing Practice Act authorizes corrective action when a nurse “is guilty of deceit or material misrepresentation in procuring or attempting to procure” a license and when a nurse “is guilty of unprofessional conduct.” 59 O.S.Supp.2017. § 567.8(B)(1)(a),(7). “Deceit or material misrepresentation” includes any “false representation of facts in connection with an application for licensure[.]” OAC 485:10-11-1(b)(1)(A). “Unprofessional conduct” includes “falsifying documents submitted to the Board.” OAC 485:10-11-1(b)(3)(E). 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 that licensure applications are truthful and complete.

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