



OFFICE OF THE  
ATTORNEY GENERAL

ATTORNEY GENERAL OPINION  
2021-48A

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

October 25, 2021

Dear Executive Director Barnhouse:

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 10.2021040218.22. In April 2011, the Respondent entered into an agreed order with the Texas Board of Nursing and completed the terms of the Order in January 2012. In March 2021, the Respondent applied for endorsement of APRN licensure and falsified the application by failing to disclose the TX BON Agreed Order. The Board denied the application after the Respondent failed to enter into an agreed Stipulations, Settlement and Order. The Respondent may request a hearing for review of the application denial.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline, including a denial of licensure, when a nurse “[i]s guilty of deceit or material misrepresentation in procuring or attempting to procure” a nursing license, or “[i]s guilty of unprofessional conduct.” 59 O.S.Supp.2020, § 567.8(B)(1), (7). Deceit or material misrepresentation includes “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 nurses meet minimum standards of professional conduct.

JOHN M. O’CONNOR  
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