



OFFICE OF THE ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2021-26A

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

June 14, 2021

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 in case 3.2020100272.21. In June 2018, the Respondent's RN license was revoked by the State of Alaska based on allegations of forged prescriptions. In September 2018, the Respondent's RN license lapsed in Oklahoma. Respondent filed a reinstatement application with the Oklahoma Board but failed to cooperate with the Board's investigation. The Board proposes to deny the Respondent's reinstatement application, lift the "lapsed" status and suspend the license pending an appearance before the Board. Any request for a hearing by the Respondent must be accompanied by an application for reinstatement.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline when a nurse "[f]ails to adequately care for patients or to conform to the minimum standards of acceptable nursing" in a way that "unnecessarily exposes a patient or other person to risk of harm[.]" "[i]s guilty of unprofessional conduct[.]" or "[h]as had disciplinary action taken against the individual's registered . . . nursing license . . . in this or any state[.]" 59 O.S.Supp.2020, § 567.8(B)(3), (7), (10). Unprofessional conduct includes "conduct detrimental to the public interest[.]" "impersonating another licensed [practitioner] . . . for any purpose" or "failure to cooperate with a lawful investigation[.]" OAC 485:10-11-1(b)(3)(H), (L), (V). The Board may reasonably believe that the proposed action is necessary to ensure nurses are working substance free.

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 "D. G. Glazier".

ACTING ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in blue ink, appearing to read "Ethan Shaner".

ETHAN SHANER  
DEPUTY GENERAL COUNSEL