



MIKE HUNTER  
ATTORNEY GENERAL

ATTORNEY GENERAL OPINION  
2021-5A

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

February 5, 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 pursuant to a Stipulations, Settlement and Order (“SSO”) in case 3.2020100030.21. The licensee entered into the SSO after pleading guilty to charges of DUI, possession of controlled drugs and failing to disclose the offenses on a renewal application. Under the SSO, the license remained in effect with certain conditions including an evaluation, body fluid testing, completion of educational courses in Nursing Jurisprudence, Nursing Ethics, and Critical Thinking, and payment of an administrative penalty. Upon review of the evaluation, the Board now proposes to refer the licensee to the Board’s Peer Assistance Program (“PAP”). The license will remain temporarily suspended pending acceptance to PAP. If PAP is not completed, the license will be revoked for two years. If the license is revoked, the licensee must meet the Board’s guidelines for reinstatement. Upon reinstatement after revocation, the licensee will again be referred to PAP.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline when a nurse “is guilty of deceit or material misrepresentation in procuring or attempting to procure” a nursing license, or is “intemperate in the use of alcohol or drugs, which use the Board determines endangers or could endanger patients.” 59 O.S.Supp.2020, § 567.8(B)(1), (4). 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.

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MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in blue ink that reads "Ethan Shaner".

ETHAN SHANER  
DEPUTY GENERAL COUNSEL