



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2017-22A

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

January 24, 2017

Dear Executive Director Glazier:

This office has received your request for a written Attorney General Opinion regarding agency action that the Oklahoma Board of Nursing intends to under a consent agreement in Board case 6.012.17. The proposed action is to accept the voluntary surrender of the practical nurse license. Prior to reinstatement of the license, the agreed order requires completion of courses in medication administration and nursing jurisprudence and payment of a \$500 fine. The licensee failed to verify the identity of the patient at a nursing center before administering a Schedule II Controlled Dangerous Substance to that patient. The licensee administered Norco 7.5/325mg by mouth when the physician's order was for Hydrocodone/Acetaminophen 10/325 mg. The patient required no additional treatments and no harm was documented. The licensee was disciplined in 2012 for a severe medication omission.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2016, §§ 567.1–567.20, authorizes agreed disciplinary orders for the voluntary surrender of a license, *see* 59 O.S.Supp.2016, § 567.4(F)(3)(d). The Act authorizes the Board to impose discipline on nurses who "fail[] to adequately care for patients or conform to the minimum standards of acceptable nursing" or who are "guilty of unprofessional conduct as defined in the rules of the Board." 59 O.S.Supp.2016, § 567.8(B)(3), (7). Failing to take adequate precautions before administering medications can place patients in danger if allergic or other reactions occur. Based on the context of this case and the licensee's prior discipline, the Board may reasonably believe that accepting the voluntary surrender of the license, with set conditions upon reinstatement, are reasonable actions to ensure the licensee's care conforms to minimum standards in the future.

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 of Oklahoma's policy to uphold minimum standards of competence in the nursing profession.

A handwritten signature in black ink, appearing to read "E. Scott Pruitt".

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA