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

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 take under a consent agreement in Board case 5.033.17. The proposed action is to require the licensee to complete a course in therapeutic communication. While working at a nursing home, the licensee became frustrated and verbally abused a resident.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2016, §§ 567.1–567.20, authorizes the Board to impose “corrective actions” when nurses violate the Act or the Board’s administrative rules, see 59 O.S.Supp.2016, § 567.8a. The Act prohibits nurses from “fail[ing] to adequately care for patients or to conform to the minimum standards of acceptable nursing” and being “guilty of unprofessional conduct,” 59 O.S.Supp.2016, § 567.8(B)(3), (7). Unprofessional conduct includes verbally abusing patients. OAC 485:10-11-1(b)(3)(B). The action seeks to enforce requirements aimed at protecting patients from verbal abuse and compromised nursing care. The Board may reasonably believe that additional education will deter similar conduct in the future and promote safe and effective nursing care.

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 protect the public health, safety, and welfare by ensuring nurses adequately care for patients.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA