



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2017-62A

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

February 13, 2017

This office has received your request for a written Attorney General Opinion regarding agency action to be taken by the Oklahoma Board of Nursing under a consent agreement in Board case 10.056.17. The proposed action is to grant the application but reprimand the applicant and require a course in nursing jurisprudence. The applicant failed to report misdemeanors from 2005 in an application for a registered nurse license.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2016, §§ 567.1–567.20, authorizes the Board to impose discipline when a nurse “is guilty of deceit or material misrepresentation in procuring or attempting to procure” a license or is “guilty of unprofessional conduct,” 59 O.S.Supp.2016, § 567.8(B)(1)(a), (7). “Deceit or material misrepresentation” includes any “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 of Nursing.” OAC 485:10-11-1(b)(3)(E). The Board’s applications require full disclosure of criminal history so that the Board may make informed decisions as to the relevance of such information as it relates to the practice of nursing. This action seeks to enforce the requirement that information on applications be truthful and complete. The Board may reasonably believe that granting the application but requiring additional education will adequately 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 these actions advance the policy of the State of Oklahoma to require full and accurate disclosure of information on licensing applications.

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

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA