



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2017-81A

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

February 15, 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 take in Board case 10.051.17. The proposed action is to deny an application for licensure by endorsement from another jurisdiction. The denial affords the applicant an opportunity to request a hearing and present evidence to the Board supporting the application. The applicant has a history of alcohol-related misdemeanor convictions stretching from 2005 to 2015. The applicant failed to disclose the earliest convictions on the application—public intoxication and disorderly conduct. The application clearly requires disclosure of this information.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2016, §§ 567.1–567.20, authorizes the Board to deny applications to those who engage in deceit or material misrepresentation on a license application as well as those who engage in unprofessional conduct “as defined in the rules of the Board,” 59 O.S.Supp.2016, § 567.8(B)(1)(a), (7). The Board’s rules include submitting falsified documents to the Board as unprofessional conduct. 485:10–11-1(b)(3)(E). These statutes and rules speak to the State’s important interest in receiving complete and accurate information during the professional licensure process. That interest is all the more important where, as here, the omitted information may be relevant to a determination of the applicant’s qualifications. *See* 59 O.S.Supp.2016, § 567.8(B)(2), (4) (allowing license denial for criminal history related to qualifications, dangerous use of alcohol and drugs). The Board’s initial denial reasonably advances the State’s interests, while the applicant has the opportunity to seek a hearing and provide additional information to support the application.

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 requiring complete and accurate information as part of the professional licensure process.

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

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA