



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2017-85A

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 pursuant to a consent agreement in Board case 3.085.17. The proposed action is to impose a severe reprimand, assess a \$500 fine, and require completion of courses in nursing law and nursing ethics. The licensee failed to perform a blood sugar check and falsified the administration of insulin ordered by a physician.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2016, §§ 567.1–567.20, authorizes the Board to discipline licensees who fail to provide “adequate[] care” in way that “exposes a patient or other person to risk of harm,” those who engage in “unprofessional conduct as defined in the rules of the Board,” and those who “jeopardize[] a patient’s life, health or safety as defined in the rules of the Board,” 59 O.S.Supp.2016, § 567.8(B)(3), (7), (8). The Board’s rules include falsifying patient records as a form of unprofessional conduct and failure to utilize “appropriate judgment in administering safe nursing practice” as conduct that jeopardizes a patient’s life, health, or safety. OAC 485:10-11-1(b)(3)(A), (4)(D). The Board could reasonably believe that the licensee’s conduct threatened the patient’s health and safety, failed to conform to nursing practice, and amounted to unprofessional conduct. The proposed action is reasonably fashioned to deter future violations while equipping the licensee to continue practicing without error.

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 policies requiring adequate nursing care that is both professional and safe for patients.

A handwritten signature in black ink, appearing to read "E. Scott Pruitt", with a long horizontal line extending to the right.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA