



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2017-86A

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 3.102.16. The proposed action approves a Registered Nurse's application to be licensed as an Advanced Practice Registered Nurse—Certified Nurse Practitioner. The action also requires participation in the Board's substance abuse monitoring program with the new license, revoking the license for two years upon default from substance abuse monitoring. The applicant has prior discipline as a Registered Nurse that resulted in substance abuse monitoring beginning in 2015. The action therefore only extends prior discipline to the new license.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2016, §§ 567.1–567.20, authorizes the Board to discipline licensees who are “intemperate in the use of alcohol or drugs” in a way that “could endanger patients” or those who default from the Board's substance abuse monitoring program, 59 O.S.Supp.2016, § 567.8(B)(4), (11). Given the State's important interest in ensuring adequate, safe nursing care not compromised by substance abuse impairment, the Board could reasonably believe that the applicant's substance abuse monitoring requirement should be extended from the Registered Nurse license to the new license.

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 adequate nursing care not compromised by substance abuse.

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

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA