



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2017-92A

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

February 16, 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 3.162.17. 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 administered medication to a hospital volunteer without a physician order.

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 the misappropriation of drug supplies as a form of unprofessional conduct and the 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)(D), (4)(D). The Board could reasonably believe that the licensee’s actions exceeded the licensee’s authority and jeopardized the patient’s life, health, and safety. The Board’s proposed action is reasonably fashioned to deter future violations and train the licensee to avoid them in the future.

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 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