



OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2023-35A

Jenny Barnhouse, Executive Director
Oklahoma Board of Nursing
P.O. Box 52926
Oklahoma City, OK 73152

September 5, 2023

Re: Thorensen, Case No. 10.2023040081.24

Dear Executive Director Barnhouse:

This office has received your request for a written Attorney General Opinion regarding action that the Oklahoma Board of Nursing intends to take pursuant in case 10.2023040081.24. The Respondent holds a lapsed single state LPN license.

The Oklahoma Nursing Practice Act authorizes the Board to deny an applicant licensure if he or she “[i]s guilty of deceit or material misrepresentation”¹ in procuring a license, or “[i]s guilty of unprofessional conduct[.]”² 59 O.S.2021, § 567.8 (A), (B)(1, 7).

According to a 2013 Board complaint, the Respondent applied for an RN license by endorsement in April 2013. Respondent falsified the application by failing to disclose a 1998 drug charge, which was subsequently dismissed after completion of a court-ordered substance abuse treatment program. The Board did not obtain service on the Respondent and no further action was taken. In April 2023, the Respondent submitted an RN endorsement application requesting a multistate license. Based on the 2013 complaint, the Board offered a Stipulations, Settlement and Order (“SSO”) which would grant Respondent’s application, with conditions. Respondent decline to accept the SSO. Relying on 59 O.S.2021, § 567.8 and OAC 485:10-11-1(b)(1)(A), (3)(E), the Board proposes to deny Respondent’s RN endorsement application requesting a multistate 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’s policy to protect public health, safety, and welfare by ensuring nurses meet minimum standards of professional conduct.

A handwritten signature in blue ink, appearing to read "Rob Johnson".

ROB JOHNSON
General Counsel

¹Deceit or material misrepresentation includes “false representation of facts in connection with an application for licensure[.]” OAC 485:10-11-1(b)(1)(A).

²Unprofessional conduct includes “falsifying document submitted to the Board.” OAC 485:10-11-1(b)(3)(E).