



OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2024-25A

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

May 15, 2024

Re: Murdock, Case No. 10.2023090051.24

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 10.2023090051.24. The Respondent holds a lapsed single state RN license.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline, including a denial of licensure, when a nurse is guilty of a “any offense substantially related to the qualifications” of a licensee, or is “guilty of unprofessional conduct.”¹ 59 O.S.Supp.2023, § 567.8(B)(2).

Respondent submitted an application for an APRN-CNP license by endorsement in July 2023, and an RN Reinstatement Application in August 2023. Respondent has misdemeanor convictions related to driving while intoxicated from cases filed in Texas in 2017. Additionally, Respondent admitted that she is an active participant in the Texas Peer Assistance Program for Nurses and requested a referral to the Board’s Peer Assistance Program. Based on the Respondent’s request for referral to PAP, the Board offered an Agreed Order which would grant Respondent’s applications and refer her to the PAP. Respondent decline to accept the order and informed the Board that she intends to remain in Texas. Relying on 59 O.S.2021, § 567.8 and OAC 485:10-11-1(b)(1)(A), (B)(3)(H), the Board proposes to deny Respondent’s applications.

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.

ROB JOHNSON
General Counsel

¹Unprofessional conduct includes “conduct detrimental to the public interest.” OAC 485:10-11-1(b)(3)(H).