



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2017-787A

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

November 17, 2017

Dear Executive Director Glazier:

This office has received your request for a written Attorney General Opinion regarding action that the Oklahoma Board of Nursing intends to take pursuant to consent agreement in case 5.018.18. The Board proposes to require the licensee to complete a remedial education course in Therapeutic Communication, following an incident in which the licensee had a verbal altercation with a patient.

The Oklahoma Nursing Practice Act authorizes “corrective actions” when nurses violate the Act or its implementing administrative rules. 59 O.S.Supp.2017, § 567.8a. The Act prohibits nurses from “[f]ail[ing] to adequately care for patients or to conform to the minimum standards of acceptable nursing” in a way that “unnecessarily exposes a patient or other person to risk of harm,” and from engaging in “unprofessional conduct as defined in the rules of the Board.” *Id.* § 567.8(B)(3), (7). Unprofessional conduct includes “verbally or physically abusing patients.” OAC 485:10-11-1(b)(3)(B). The Board may reasonably believe the proposed action is necessary to deter future violations.

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 that nurses provide proper care to patients.

Handwritten signature of Mike Hunter in black ink.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

Handwritten signature of Amanda Otis in black ink.

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL