



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2017-788A

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 5.024.18. The Board proposes to approve the application to take the NCLEX-RN, but require the applicant to complete a remedial education course for failing to disclose on the application a misdemeanor charge.

The Oklahoma Nursing Practice Act authorizes "corrective action" when a nurse "is guilty of deceit or material misrepresentation in procuring or attempting to procure" a license or is "guilty of unprofessional conduct." 59 O.S.Supp.2017, §§ 567.8a(A); 567.8(B)(1)(a), (7). "Deceit or material misrepresentation" includes any "false representation of facts in connection with an application for licensure." OAC 485:10-11-1(b)(1)(A). Unprofessional conduct includes "falsifying documents submitted to the Board of Nursing." OAC 485:10-11-1(b)(3)(E). The Board may reasonably believe that the applicant's failure to disclose the misdemeanor charge warrants the proposed action.

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 licensure applications contain information that is truthful and complete.

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