



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2017-849A

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

December 5, 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 a consent agreement in case 3.231.17. The licensee has filed an application for reinstatement following previous Board action. The Board proposes to approve the application, but temporarily suspend the license pending acceptance in the Board's Peer Assistance Program ("PAP"). If the licensee is not accepted or defaults from PAP, the license will be revoked for two years and the licensee will be required to meet Board guidelines for reinstatement and pay a \$500 administrative penalty.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline when a nurse "[i]s guilty of deceit or material misrepresentation in procuring or attempting to procure: [] a license to practice . . . licensed practical nursing" or "[i]s guilty of a felony, or any offense reasonably related to the qualifications, functions or duties of any licensee." 59 O.S.Supp.2017, § 567.8(B)(1)(a), (2). The Board may reasonably believe that 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 nurses meet minimum standards of professional conduct.

A handwritten signature in black ink, appearing to read "Mike Hunter".

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in black ink, appearing to read "A. Otis".

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL