



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2017-854A

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 in case 3.292.17. The licensee is before the Board for an evaluation subsequent to a previous Stipulation, Settlement and Order. *See* A.G. Opin. 2017-486A. The Board proposes to refer the licensee to the Board's Peer Assistant Program ("PAP") and temporarily suspend the license pending acceptance into PAP. If the licensee is not accepted or defaults from PAP, the license is to be revoked for two years. If revoked, the licensee will be required to meet Board guidelines prior to reinstatement.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline when a nurse "is guilty of unprofessional conduct." 59 O.S.Supp.2017, § 567.8(B)(7). The Act also provides that "[a] nurse . . . may be directed to apply to the [PAP] by an order of the Board." *Id.* § 567.17(K). 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.

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

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