



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-181A

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

June 8, 2018

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 5.058.18. The licensee was charged with a misdemeanor in 2015. In 2017, the licensee falsified an application for renewal by failing to disclose the charge. The Board proposes to require the licensee to complete a remedial education course and pay an administrative penalty of \$500.

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. 59 O.S.Supp.2017, §§ 567.8a(A), 567.8(B)(1)(a). "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). 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 that licensure applications are truthful and complete.

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 "Ryan Chaffin".

RYAN CHAFFIN
DEPUTY CHIEF - ASSISTANT ATTORNEY GENERAL