



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-183A

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 6.048.18. The licensee was charged with a misdemeanor. Subsequently, the licensee removed controlled dangerous substance medication and failed to document the administration and/or waste of the medication. As a result, the licensee was requested to submit to a drug test, which the licensee took and failed. The licensee has requested to voluntarily surrender the license. The Board proposes to accept the voluntary surrender of the license. Prior to reinstatement, the licensee must submit to an evaluation, complete a remedial education course and pay an administrative penalty of \$1,000.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline when a nurse “[i]s guilty of a felony, or any offense reasonably related to the qualifications, functions or duties of any licensee,” “fails 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,” “is guilty of unprofessional conduct,” or “is guilty of any act that jeopardizes a patient’s life, health or safety.” 59 O.S.Supp.2017, § 567.8(B)(2-3), (7-8). The Board may reasonably believe that the proposed actions are 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

ETHAN SHANER
DEPUTY ASSISTANT ATTORNEY GENERAL