



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2018-214A

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

June 19, 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 in case 3.277.18. Due to issues with Controlled Dangerous Substances, the licensee voluntarily entered the Board's Peer Assistance Program ("PAP"), but defaulted in 2016. The Board proposes to revoke the license for five years, and prior to reinstatement, require the licensee to meet the Board's guidelines for reinstatement and pay an administrative penalty of \$2,000 and investigative costs of \$1,225.45. Upon reinstatement, the licensee will be re-referred to PAP.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline when a nurse "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," "[i]s intemperate in the use of alcohol or drugs," "is guilty of unprofessional conduct," "[i]s guilty of any act that jeopardizes a patient's life, health or safety," has violated state or federal law related to nursing, or "[h]as defaulted from [PAP] for any reason." 59 O.S.Supp.2017, § 567.8(B)(3-4), (7), (9), (11). 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 "Ryan Chaffin".

RYAN CHAFFIN  
DEPUTY CHIEF - ASSISTANT ATTORNEY GENERAL