



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-220A

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 3.293.17. In 2017, the licensee entered into an agreed order with the Board. Later that year, the licensee failed to comply with the order and as a result the license was then suspended. The Board proposes to refer the licensee to the Board's Peer Assistance Program ("PAP") and once accepted to PAP, the suspension will be lifted. While in PAP, the licensee must complete 1440 cumulative hours of supervised practice. If PAP is not completed, the license will be revoked for two years. If revoked, the licensee will be required to pay investigative costs of \$425.22 and prior to reinstatement, the licensee will be required to meet the Board's requirements for reinstatement. Upon reinstatement, the licensee will be re-referred to PAP.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline when a nurse "[i]s guilty of unprofessional conduct," or has "[v]iolated . . . an order of the Board." 59 O.S.Supp.2017, § 567.8(B)(7), (9). The Board may reasonably believe that the proposed action is necessary to prevent 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