



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2018-258A

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

July 13, 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 consent agreement in case 6.047.18. In April 2016, the licensee entered into an Agreed Order with the Texas Board of Nursing after falsely documenting nursing care during hours the licensee was not with a patient. The licensee has not completed all of the requirements of that Order. The licensee has requested to voluntarily surrender the Oklahoma registered nurse license. The Board proposes to accept the voluntary surrender of the license and impose certain conditions for reinstatement.

The Oklahoma Nursing Practice Act authorizes the Executive Director of the Board to enter agreed disciplinary orders accepting the voluntary surrender of a license. *See* 59 O.S.Supp.2017, § 567.4(F)(2), (3)(d). The Act also authorizes the Board to impose discipline when a nurse “[i]s guilty of unprofessional conduct” or has “[h]as had disciplinary actions taken against [their] ... license ... in this or any state, territory or country[.]” 59 O.S.Supp.2017, § 567.8(B)(7), (10). Unprofessional conduct is defined as “conduct detrimental to the public interest.” OAC 485:10-11-1(b)(3)(H). 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 that reads "Mike Hunter".

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in black ink that reads "Ryan Chaffin".

RYAN CHAFFIN  
DEPUTY CHIEF ASSISTANT ATTORNEY GENERAL