



OFFICE OF THE  
ATTORNEY GENERAL

ATTORNEY GENERAL OPINION  
2021-51A

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

December 13, 2021

Dear Executive Director Barnhouse:

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 3.051.20. In September 2019, the Board temporarily suspended the Respondent's license. *See* A.G. Opin. 2019-255A. The Board lifted the temporary suspension in March 2020 pursuant to an agreed Consent Order which required the Respondent to submit monthly counselor reports and appearances before the Board for consideration of the reports. In August and October 2021, the Respondent was noticed for a show-cause hearing related to unprofessional conduct while employed at a hospital and for failure to submit monthly counselor reports. The Board proposes to temporarily suspend the license pending an evaluation of fitness to practice.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline when a nurse "[i]s guilty of unprofessional conduct," or "[v]iolate[s] a rule promulgated by the Board[.] 59 O.S.2021, § 567.8(B)(7), (9). Unprofessional conduct includes "behavior . . . which fails to conform to the accepted standards of the nursing profession[.] OAC 485:10-11-1(b)(3). 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.

Handwritten signature of John M. O'Connor in cursive script.

JOHN M. O'CONNOR  
ATTORNEY GENERAL OF OKLAHOMA

Handwritten signature of Julie Pittman in cursive script.

JULIE PITTMAN  
DEPUTY GENERAL COUNSEL