



JOHN M. O'CONNOR  
ATTORNEY GENERAL

ATTORNEY GENERAL OPINION  
2022-17A

Jenny Barnhouse, Executive Director  
Oklahoma Board of Nursing  
P.O. Box 52926  
Oklahoma City, Oklahoma 73152

May 17, 2022

Dear Executive Director Barnhouse:

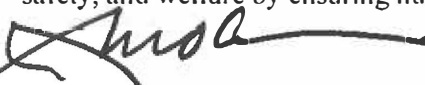
This office has received your request for a written Attorney General Opinion regarding action that the Oklahoma Board of Nursing intends to take in case 3.2021030154.22.

The Oklahoma Nursing Practice Act authorizes the Board to discipline a nurse guilty of criminal conduct, or unprofessional conduct. 59 O.S.2021, § 567.8(B)(2), (7).


The Respondent is currently on disciplinary action set forth in a Board order issued in September 2021. Among other things, the order requires the Respondent to submit to body fluid testing twice monthly until Board review of an evaluation.

The Board proposes to accept Respondent's evaluation and amend the Board order to require continued body fluid testing twice monthly for twelve months, and participation in a 12-step program for twelve months with monthly reports to the Board. If Respondent violates the body fluid testing guidelines, the license will be temporarily suspended. If Respondent violates the monthly documentation requirement, the license will be suspended for three months. The Board may reasonably believe 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.



JOHN M. O'CONNOR  
ATTORNEY GENERAL OF OKLAHOMA



THOMAS R. SCHNEIDER  
DEPUTY GENERAL COUNSEL