



OFFICE OF THE
ATTORNEY GENERAL

ATTORNEY GENERAL OPINION
2022-48A

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

December 13, 2022

Re: Simpson; Case No. 3.2022020108.23

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 3.2022020108.23. The Respondent submitted a reinstatement application for a lapsed LPN license.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline when a nurse “[i]s guilty of a felony, or any offense substantially related to the qualifications, functions or duties of any licensee[.]” or “is guilty of unprofessional conduct[.]”¹ 59 O.S.2021, § 567.8(B)(2), (7).


According to a Board complaint, in January 2022, the Respondent pled guilty to felony kidnapping and related misdemeanor charges and was ordered to five-year deferred sentences, supervised probation, payment of fines, costs, fees and restitution and ordered to obtain a drug and alcohol assessment and psychological evaluation. The Respondent failed to file a response to the complaint and is in default.

The Board proposes to deny the reinstatement application, lift the lapsed status of the Respondent’s LPN license and suspend the license pending an evaluation including fitness to practice. 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.



JOHN M. O’CONNOR
ATTORNEY GENERAL OF OKLAHOMA



THOMAS R. SCHNEIDER
ACTING GENERAL COUNSEL

¹ Unprofessional conduct includes “conduct detrimental to the public interest[.]” OAC 485:10-11-1(b)(3)(H).