



OFFICE OF THE
ATTORNEY GENERAL

ATTORNEY GENERAL OPINION
2024-6A

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

January 2, 2024

Re: Reynolds, Case No. 10.2022120092.24

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 10.2022120092.24. Applicant has submitted a single-state application to practice Licensed Practical Nursing.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline, including a denial of licensure, when a nurse is guilty of a felony.¹ 59 O.S. 2021, § 567.8(B)(2).

Applicant submitted an application for a single-state LPN license in December 2022. Applicant has felony convictions for robbery second degree from cases filed in Tulsa County in 2007. In June 2023, the Board notified Applicant that his felony convictions may disqualify him from licensure. These offense(s) were determined to substantially relate to the duties and responsibilities of the occupation and to pose a reasonable threat to public safety, health, or welfare. OAC 485:10-11-4(b)(2), (d)(1); 59 O.S.2021, § 4000.1(C)(3)(a); and 57 O.S.2021, § 571(2)(t). Pursuant to 59 O.S. 2021, § 4000.1(D)(3), the Board advised Applicant that he had the right to submit additional evidence relevant to each of the factors considered by the Board, which would be considered before issuing a final determination. Applicant failed to submit additional evidence to the Board. Relying on 59 O.S. 2021, § 567.8(B)(2) and OAC 485:10-11-4(b)(2), (d)(1), the Board proposes to deny Applicant's application for requesting a single-state LPN license in Oklahoma.

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 blue ink signature of Rob Johnson is located below the main body of the letter.

ROB JOHNSON
General Counsel

¹Certain felony convictions, including robbery, may disqualify an individual from retaining licensure. OAC 485:10-11-4(b)(2), (d)(1).