



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2017-7A

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

January 3, 2017

Dear Executive Director Glazier:

This office has received your request for a written Attorney General Opinion regarding agency action that the Oklahoma Board of Nursing intends to take pursuant to a consent agreement in Board case 5.031.17. The proposed action is to require completion of a nursing jurisprudence education course. The licensee administered Tylenol to a patient who was complaining of leg pain without a physician's order.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2016, §§ 567.1–567.20, authorizes “corrective actions” when nurses violate the Act or its implementing administrative rules, *see* 59 O.S.Supp.2016, § 567.8a. The Act prohibits nurses from “[f]ail[ing] to adequately care for patients or to conform to the minimum standards of acceptable nursing” in a way that “unnecessarily exposes a patient or other person to risk of harm.” 59 O.S.Supp.2016, § 567.8(B)(3). The action seeks to enforce requirements aimed at ensuring nurses do not administer medication without proper authority. The Board may reasonably believe that completion of the education course will adequately deter future violations and protect patients from improper nursing care.

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 of Oklahoma's policy to protect the public health, safety, and welfare by ensuring nurses do not act beyond their authority.

A handwritten signature in black ink, appearing to read "E. Scott Pruitt".

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA