



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2017-764A

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

November 3, 2017

Dear Executive Director Glazier:

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 3.088.18. The Board proposes to grant a Motion for Continuance pending a hearing on the merits of a Complaint, with the licensee agreeing to (i) notify the Board of changes in employment as a registered nurse and/or an advanced practice registered nurse-certified nurse practitioner with prescriptive authority recognition (APRN-CNP), and (ii) provide a copy of the Complaint and Agreed Order to current and/or future supervisors.

The Complaint involves the licensee's alleged conduct with regard to two residents at a nursing home. The licensee filed a Motion for Continuance without objection from the Board. The licensee continues to be solely employed full time as an APRN-CNP at the nursing home.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline when a nurse "[f]ails 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," or "jeopardizes a patient's life, health or safety." 59 O.S.Supp.2016, § 567.8(B)(3), (8). The Board rules provide the Board the ability to grant requests for continuances. *See* OAC 485:10-11-2(b)(3). The Board may reasonably believe that its proposed action will protect patient health and safety and ensure safe nursing practice in the future.

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 Mike Hunter in black ink.

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

Handwritten signature of Ryan Chaffin in black ink.

RYAN CHAFFIN  
DEPUTY CHIEF – ASSISTANT ATTORNEY GENERAL