



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2015-172A

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

November 18, 2015

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 3.212.16. The proposed action is to approve the application for licensure, require completion of courses in nursing law and critical thinking, issue a severe reprimand, and restrict the licensee from practice in home health, hospice, or agency nursing for two years. The licensee has four larceny convictions across 2008, 2010, and 2013.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2015, §§ 567.1–567.20, authorizes the Board to impose discipline on licensees who are “guilty of . . . any offense reasonably related to the qualifications, functions or duties of any licensee,” 59 O.S.Supp.2015, § 567.8(B)(2). The Board may be reasonably concerned that, given the access of nurses to the property of patients and health care facilities, convictions of crimes related to theft may impact a nurse’s qualifications to perform the role of a nurse. The action prevents the licensee from working for some time in areas with higher risks from theft and otherwise allows the licensee to practice nursing, a result that the Board may believe reasonably protects the public.

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.

A handwritten signature in black ink, appearing to read "E. Scott Pruitt", is written over a horizontal line.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA