



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2016-726A

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

November 21, 2016

Dear Executive Director Glazier:

This office has received your request for a written Attorney General Opinion regarding agency action to be taken by the Oklahoma Board of Nursing in Board case 3.077.17. The proposed action is to issue an order of emergency temporary suspension of the license pending a hearing. On April 17, 2015 the licensee was charged with felony child endangerment and driving while under the influence. In a license renewal application submitted approximately ten days later the licensee failed to report the criminal charges. The licensee eventually pled no contest to the criminal charges. In September of 2016, the licensee requested and was granted an agreed order of continuance with conditions pending a hearing; however, the licensee failed to appear that the next meeting of the Board. Board staff has been unable to reach the licensee across multiple attempts via certified mail, telephone, and electronic mail.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2016, §§ 567.1–567.20, authorizes the Board to impose discipline when a nurse “is guilty of deceit or material misrepresentation in procuring or attempting to procure” a license, “is guilty of a felony, or any offense reasonably related to the qualifications, functions or duties” of nursing, or is “guilty of unprofessional conduct,” 59 O.S.Supp.2016, § 567.8(B)(1)(a), (2), (7). Unprofessional conduct includes “falsifying documents submitted to the Board of Nursing.” OAC 485:10-11-1(b)(3)(E). “Notice of change of address must be submitted in writing by each licensee within 30 days of the change.” OAC 485:10-9-9(c). The Board’s applications require the disclosure of all criminal history so that the Board may make an informed decision on licensure of individuals with statutorily relevant criminal histories. The Board may reasonably believe that the licensee’s criminal history and failure to disclose such history justifies the Board’s decision to suspend the license pending a hearing.

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 blue ink that reads "E. Scott Pruitt". The signature is stylized and cursive.

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA