



OFFICE OF THE ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2025-47A

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

August 21, 2025

Re: McGuire, Case No. 3.2024090212.26

Dear Executive Director Barnhouse:

This office has received your request for a written Attorney General Opinion regarding action that the Oklahoma Board of Nursing (“Board”) intends to take in the above-referenced case. Respondent holds a single-state licensed practical nurse (LPN) license in Oklahoma.

The Oklahoma Nursing Practice Act (“Act”) authorizes the Board to impose discipline when a nurse “[i]s guilty of a felony, or any offense substantially related to the qualifications, functions or duties of any licensee . . . whether or not sentence is imposed, or any conduct resulting in the revocation of a deferred or suspended sentence or probation imposed pursuant to such conviction[.]”<sup>1</sup> or “[i]s guilty of unprofessional conduct[.]”<sup>2</sup> 59 O.S.2021, § 567.8(B)(2) and (7).

On or about June 2, 2025, a Board Nurse Investigator filed a Complaint against the Respondent’s LPN license for the following violations: On February 10, 2023, Respondent was charged with the following Felony that occurred on or about October 26, 2021: Count 1: Child Abuse, Felony. On June 11, 2024, Respondent entered a Blind plea of Guilty to an Amended Count of Child Neglect, 21 O.S. § 843.5(C), a Felony. On August 27, 2024, the Court ordered a 7 year deferred sentence (until August 27, 2031), supervised probation, complete 150 hours of community service within 1 year of sentencing, obtain a drug & alcohol assessment and follow all recommendations, obtain a mental health assessment and follow all recommendations, complete an anger management course within 5 months of sentencing and the payment of a fine, VCA, fees and Court costs. The Information provides that that the Respondent was harming or threatening to harm by striking a door with an axe and/or by exposing the children to domestic violence. The Affidavit of Probable Cause provides that Respondent had been drinking the night of the incident

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<sup>1</sup> “[S]ubstantially related” means the nature of criminal conduct for which the person was convicted has a direct bearing on the fitness or ability to perform one or more of the duties or responsibilities necessarily related to the occupation.” 59 O.S.2021, § 567.8(B)(2).

<sup>2</sup> Unprofessional conduct includes “conduct detrimental to the public interest.” OAC 485:10-11-1(b)(3)(H).

that led to charges being filed and that Respondent “stated that she had a problem and that she is searching for help.”

After the hearing on July 31, 2025, the Board found that Respondent’s criminal actions may relate to the care of compromised vulnerable patients and raises concerns whether the Respondent is capable of ensuring adequate nursing care is provided to patients under her care. Therefore, the Board proposes to suspend Respondent’s single-state LPN license. Prior to the reinstatement of Respondent’s LPN license, Respondent shall submit to the Board documentation of an evaluation, to include fitness to practice, performed by a licensed psychologist, completed within sixty (60) days prior to the submission of any reinstatement application to the Board. Respondent shall follow the conditions of the evaluation contained in the Board’s Order. Further, Respondent shall, prior to the reinstatement of her LPN license, successfully complete courses approved by the Board on Nursing Jurisprudence and Critical Thinking, to include moral reasoning. Prior to reinstatement of Respondent’s LPN license, an administrative penalty of Five Hundred Dollars (\$500.00) shall be paid to the Board.

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 handwritten signature in black ink, appearing to read "Cheryl Dixon", written in a cursive style.

CHERYL DIXON

*Deputy General Counsel*