



OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2025-37A

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

June 16, 2025

Re: Nguyen, Case No. 3.2024070057.25

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 suspended single-state registered nurse (RN) 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[.]”¹ “[i]s guilty of unprofessional conduct[.]”² “[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 “[i]s guilty of any act that jeopardizes a patient’s life, health or safety[.]”³ 59 O.S.2021, § 567.8 (B)(2), (3), (7) and (8).

On January 10, 2024, Respondent’s RN license was suspended due to Respondent’s continuous incarceration. On or about June 8, 2024, Respondent submitted a Reinstatement or Return to Active Status of Licensure (RN) Application (Application). According to a Board complaint filed on April 16, 2025, Respondent, while working as a staff nurse on the 7:00 p.m. – 7:00 a.m. shift in the medical intensive care unit at a hospital, failed to conform to the minimum standard of acceptable nursing practice when the Respondent, who was assisting Patient I’s assigned

¹ “‘Substantially 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).

² Unprofessional conduct includes “inaccurate recording, falsifying, altering or inappropriate destruction of patient records,” and “conduct detrimental to the public interest.” OAC 485:10-11-1(b)(3)(A),(H).

³ Conduct that jeopardizes a patient’s life, health, and safety includes “[f]ail[ing] to utilize appropriate judgment in administering safe nursing practice” and “patient care[.]” OAC 485:10-11-1(b)(4)(D).

registered nurse (RN #1) with care of Patient 1, paused Patient 1's continuous infusions, which included Norepinephrine, Phenylephrine and Vasopressin, and silenced the alarms on Patient 1's infusion pump(s). Respondent was beside Patient 1's infusion pump(s) that was observed by a Charge Nurse to be paused. Patient 1 was pronounced dead a short time later.

On or about September 6, 2022, the United States Attorney filed an Indictment in the United States District Court for the Western District of Oklahoma, CR-22-380- R, charging the Respondent with the felony of False Statement. On or about March 6, 2023, Respondent entered a plea of Guilty. On or about November 27, 2023, the Court Ordered the Respondent to serve six (6) months in a federal prison, one (1) year of supervised release and the payment of a \$100 special assessment.

On or about November 20, 2024, Respondent during a telephonic investigative conference with Board staff, with Respondent's legal counsel present, admitted to Board staff to re-pausing Patient 1's medication infusions and silencing the pump(s)' alarms. Respondent further admitted that she lied during the Hospital's investigation into the event knowing that it could lead to criminal charges.

After receiving notice of the hearing and complaint, Respondent failed to respond or appear for the May 21, 2025 hearing. The Board has found Respondent to be in default and the allegations of the complaint are deemed admitted. The Board proposes to revoke Respondent's single-state RN license and denies Respondent's Reinstatement or Return to Active Status of Licensure (RN) Application.

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.



CHERYL DIXON

Deputy General Counsel