



OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2025-61A

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

November 3, 2025

Re: Pantin-Gomez, Case No. 3.2024070409.26

Dear Executive Director Barnhouse:

This office has received your request for a written Attorney General Opinion regarding the action that the Oklahoma Board of Nursing intends to take in the above-referenced case. Respondent is licensed as a licensed practical nurse (LPN) in Oklahoma, which lapsed on September 3, 2025. Additionally, Respondent holds a multistate LPN license in another Nurse Licensure Compact state. Accordingly, Respondent possesses the privilege to practice as an LPN in the party states, including Oklahoma.

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

On July 28, 2024, Respondent, while working at a nursing home, physically abused Resident #1 when Respondent “smacked” Resident #1 in the chest. Resident #1 was observed by a certified nurse aide (CNA) to “pinch the nurse on the bottom and she reacted by turning around and making contact with his chest with her open hand thus pushing him away.” The CNA reported Respondent to the Charge Nurse. There was no documented harm to Resident #1. Respondent was immediately terminated by the Nursing Home Administrator from the Nursing Home.

On May 12, 2025, and May 27, 2025, the Respondent failed to cooperate with a lawful investigation by Board staff when Respondent failed to participate in a telephonic investigative

¹ Unprofessional conduct includes behavior that includes “verbally or physically abusing patients,” “conduct detrimental to the public interest,” or “failure to cooperate with a lawful investigation by Board of Nursing staff.” OAC 485:10-11-1(b)(3)(B), (H), (V).

² Conduct that jeopardizes a patient’s life, health, and safety includes failing “to utilize appropriate judgment in administering safe nursing practice or patient care assignment based upon the level of nursing for which the individual is licensed or recognized.” OAC 485:10-11-1(b)(4)(D).

conference with Board staff. The Correspondence for May 12, 2025, and May 27, 2025, telephonic investigative conference was mailed to the Respondent's mailing address of record with the Board on April 23, 2025 and May 12, 2025, respectively. The Correspondence dated April 23, 2025, was not returned to Board office. The Correspondence dated May 12, 2025, tracking by the United State Postal Service provides that the Correspondence was delivered to an individual at the Respondent's mailing address of record with the Board on May 15, 2025.

After a hearing held October 2, 2025, the Board proposed an emergency order of temporary suspension, lifting the lapsed status of Respondent's LPN license and temporarily suspending Respondent's LPN license and privilege to practice in Oklahoma pending a hearing on the merits of the complaint. Given the serious nature of the allegations, the Board may reasonably believe that this emergency action is necessary to protect public health, safety, and welfare.

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