OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2025-63A

Jenny Barnhouse, Executive Director   November 3, 2025
Oklahoma Board of Nursing
P.O. Box 52926
Oklahoma City, Oklahoma 73152

    Re: Green, Case No. 10.2025020200.26

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. On or about February 10, 2025, Green ("Applicant") submitted to the Board a complete LPN Licensure by Examination with Multistate License Request Application to practice licensed practical nursing ("Application").

    The Oklahoma Nursing Practice Act ("Act") authorizes the Board to impose discipline when a nurse "[i]s guilty of deceit or material misrepresentation in procuring or attempting to procure a license to practice . . . licensed practical nursing" or "[i]s guilty of unprofessional conduct as defined in the rules of the Board."[1] 59 O.S.2021, § 567.8(B)(1)(a), (7).

    On July 29, 2003, Applicant was charged with Driving While Under the Influence, a Misdemeanor, and Making an Improper Turn, an Infraction, to which Applicant entered a plea of Guilty. On December 9, 2014, Applicant was charged with Driving a Motor Vehicle While Under the Influence of Alcohol, a Misdemeanor, and Failure to Maintain Security, a Misdemeanor, to which Applicant entered a plea of Guilty. On May 3, 2017, Applicant submitted to the Board a completed Licensee Application for Licensure by Examination (LPN) to the Applicant practice licensed practical nursing (Exam Application). Applicant falsified the Exam Application when answering "Yes" to the following question:

> Have you ever been summoned, arrested, taken into custody, indicted, convicted or tried for, or charged with, or pleaded guilty to, the violation of any law or ordinance or the commission of any misdemeanor or felony, or have you been requested to appear before any prosecuting attorney or investigative agency in any matter? (Include all such incidents no matter how minor the infraction, whether guilty or not.)

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[1] Unprofessional conduct means the "falsifying documents submitted to the Board of Nursing[.]" OAC 485:10-11-1(b)(3)(E).

Applicant failed to disclose the July 29, 2003 case described above in her Application.

On December 27, 2018, Applicant was charged with Count 1: Operating a Motor Vehicle While Under the Influence of Intoxicating Liquor, Second and Subsequent Offense, a Felony; Count 2: Operating a Motor Vehicle While Driver's License has been Suspended, a Misdemeanor; Count 3: Leaving Scene of an Accident Unattended Vehicle, a Misdemeanor; and Count 4: Transporting an Opened Container of Alcoholic Beverage, Misdemeanor. On April 4, 2023, Applicant successfully completed the Oklahoma Drug Court Program, the Court found the Applicant Guilty on Count 1, ordered 5 years to be served in the Oklahoma Department of Corrections, suspended. The Court ordered straight convictions on Counts 2, 3 and 4.

On January 3, 2019, Applicant submitted to the Board a completed Licensee Application for Licensure by Exam (LPN) with Multistate License Request to practice licensed practical nursing (Application). The Applicant again falsified the Application when answering "Yes" to the following question:

> Have you ever been summoned, arrested, taken into custody, indicted, convicted or tried for, or charged with, or pleaded guilty to, the violation of any law or ordinance or the commission of any misdemeanor or felony, or have you been requested to appear before any prosecuting attorney or investigative agency in any matter? (Include all such incidents no matter how minor the infraction whether guilty or not.)

Applicant failed to disclose the December 27, 2018 and June 29, 2003 cases as described above.

On April 25, 2019, Applicant was again charged with Driving Under the Influence, a Felony and Driving While Privilege Suspended a Misdemeanor to which Applicant entered a plea of Guilty. On February 10, 2025, Applicant submitted to the Board a complete LPN Licensure by Examination with Multistate License Request Application to practice licensed practical nursing (Application). The Applicant falsified the Application when answering "Yes" to the following question:

> Have you been charged and/or convicted in any criminal offense not previously reported in writing to the Oklahoma Board of Nursing, including those pending appeal? (You may exclude minor traffic violations, but must report all DUI/DWI charges and/or DUI/DWI convictions) Check all that apply:

Applicant's answer was false as she failed to disclose the July 29, 2003 and April 25, 2019 cases as described above. Applicant should have also selected "pled nolo contender, no contest, or guilty?".

On or about July 25, 2025, during a telephonic conference with a nurse investigator, the nurse investigator was verifying information and explaining the process of obtaining the approval of Applicant's application, when Applicant terminated the phone conversation.

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