



OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2026-16A

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

March 17, 2026

Re: Birdwell, Case No. 10.2025060033.26

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 May 20, 2025, the Applicant submitted to the Board a complete LPN Endorsement Application for U.S. Educated Nurse requesting a Single State License 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 obtaining “a license to practice registered nursing, licensed practical nursing, or a license to practice advanced practice registered nursing with or without either prescriptive authority recognition or authorization to order, select, obtain and administer drugs“ or “[i]s guilty of a felony, or any offense substantially related to the qualifications, functions or duties of any licensee or Advanced Unlicensed Assistant, or any offense an essential element of which is fraud, dishonesty, or an act of violence, 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 . . .” or “[i]s guilty of unprofessional conduct as defined in the rules of the Board.”¹ 59 O.S.Supp.2023, § 567.8(B)(1)(a), (B)(2), (B)(7).

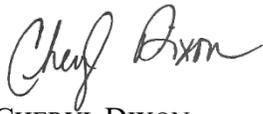
On or about December 3, 2007, the County Attorney for Cherokee County, Rusk, Texas filed an Information and Complaint in County Court at Law Court, Cherokee County, Texas, Case No. 48358, charging Applicant with a misdemeanor Theft by Check. On or about July 23, 2009, the Court ordered to dismiss Case No. 48358 with Court costs. Applicant falsified her Application to this Board when checking “No. None of the above apply” in response to the question asking whether Applicant had been charged and/or convicted in any criminal offense not previously reported in writing to the Board. Applicant’s answer was false as she failed to disclose Case No. 48358.

¹ Unprofessional conduct includes “falsifying documents submitted to the Board of Nursing[,]” and “conduct detrimental to the public interest[.]” OAC 485:10-11-1(b)(3)(E), (H).

On or about September 25, 2025, Applicant was offered an agreed settlement, to include approval of her Application. On or about October 27, 2025, the agreed settlement was mailed to Applicant's address of record on file with the Board. The United States Postal Service Tracking provides that Applicant received service of the settlement order on October 29, 2025; however, the Applicant did not return the agreed settlement signed to the Board's office or contact Board staff.

On or about November 26, 2025, Board staff contacted the Applicant, and the Applicant stated to Board staff that she no longer wishes to obtain licensure in the State of Oklahoma; therefore, the Oklahoma Board of Nursing denies the 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